

the Courts to study alternatives for service of process in certain cases in which no law enforcement presence is required, and to report back to the Committees on Appropriations no later than February 1, 2000, on the impact of such alternatives on the Marshals Service and the Federal Courts.

In addition, the conferees concur with the recommendation included in the Senate report regarding the reallocation of personnel resulting from the defederalization of District of Columbia Superior Court operations. Should defederalization occur, the Marshals Service is directed to notify the Committees of such reallocation in accordance with section 605 of this Act.

The conference agreement does not include language proposed in the Senate bill which limits the use of contract officers and limits the use of employees of the Marshals Service to serve process.

#### CONSTRUCTION

The conference agreement includes \$6,000,000 in direct appropriations for the U.S. Marshals Service Construction account instead of \$9,632,000 as proposed in the Senate bill, and \$4,600,000 as proposed in the House bill. An additional \$2,600,000 is to be provided for this account should funds be available from Super Surplus balances in the Assets Forfeiture Fund. The conference agreement includes the following distribution of funds:

##### USMS Construction

[In thousands of dollars]

Fairbanks, AK .....	\$300
Prescott, AZ .....	125
Atlanta, GA .....	368
Moscow, ID .....	185
Rockford, IL .....	250
Louisville, KY .....	350
Detroit, MI .....	515
Las Cruces, NM .....	275
Greensboro, NC .....	725
Muskogee, OK .....	650
Pittsburgh, PA .....	550
Charleston, SC .....	725
Florence, SC .....	300
Spartanburg, SC .....	400
Columbia, TN .....	250
Beaumont, TX .....	450
Sherman, TX .....	850
Cheyenne, WY .....	500
Security Specialists/Construction Engineers .....	832
<b>Total, Construction .....</b>	<b>8,600</b>

The conferees expect to be notified in accordance with section 605 of this Act prior to any deviation from the above distribution.

#### JUSTICE PRISONER AND ALIEN TRANSPORTATION SYSTEM FUND

The conference report includes requested language permanently establishing a revolving fund for the operation of the Justice Prisoner and Alien Transportation System (JPATS), as provided in both the House and Senate bills. The conference agreement does not include direct funding of \$9,000,000 proposed in the Senate bill to pay for Marshals Service payments to the JPATS revolving fund. The conferees expect the Marshals Service to adequately budget for its own requirements for prisoner movements within its own base budget under the Salaries and Expenses account, as is the practice for all other agencies, and have addressed the Marshals Service's needs under that account.

The conference agreement adopts the direction included in the House and Senate reports regarding full cost recovery, the direction included in the House report regarding system enhancements, and the direction included in the Senate report regarding surplus Department of Defense aircraft.

The conference agreement does not include language amending the definition of public

aircraft with respect to JPATS activities, which was proposed in the Senate bill.

#### FEDERAL PRISONER DETENTION

The conference agreement provides \$525,000,000 for Federal Prisoner Detention as proposed in the House bill, instead of \$500,000,000 as proposed in the Senate bill, which is a \$100,000,000 increase over the fiscal year 1999 level. This amount, combined with approximately \$14,000,000 in carryover, will provide total funding of \$539,000,000 in fiscal year 2000. The conferees remain extremely concerned about the inability of the Marshals Service to accurately project and manage the resources provided under this account. While the conferees appreciate the difficulty in projecting funding requirements, the wide fluctuations which have occurred in recent years are unacceptable. Given the conferees' continued concern about the ability of the Marshals Service to provide accurate cost projections, the recommendation includes the amount of funding identified as necessary to detain the current average population, adjusted for anticipated increases in jail day costs, as well as allows for additional growth in the detainee population. A general provision has also been included elsewhere in this title, as requested, addressing medical services costs, which should result in savings to the program. Should additional funding be required, the conferees would be willing to entertain a reprogramming in accordance with Section 605 of this Act. In addition, the conference agreement adopts the direction included in the Senate report requiring quarterly reports on cost savings initiatives, as well as a report on sentencing delays.

#### FEES AND EXPENSES OF WITNESSES

The conference agreement includes \$95,000,000 for Fees and Expenses of Witnesses as proposed in the House bill, instead of \$110,000,000 as proposed in the Senate bill. The conference agreement does not include a provision allowing up to \$15,000,000 to be transferred from this account to the Federal Prisoner Detention account, which was proposed in the Senate bill.

#### COMMUNITY RELATIONS SERVICE

The conference agreement includes \$7,199,000 for the Community Relations Service, as proposed in both the House and Senate bills. In addition, the conference agreement includes a provision allowing the Attorney General to transfer up to \$1,000,000 of funds available to the Department of Justice to this program, as proposed in the House bill. The Attorney General is expected to report to the Committees on Appropriations of the House and Senate if this transfer authority is exercised. In addition, a provision is included allowing the Attorney General to transfer additional resources, subject to reprogramming procedures, upon a determination that emergent circumstances warrant additional funding, as proposed in the House bill. The Senate bill did not include either transfer provision.

#### ASSETS FORFEITURE FUND

The conference agreement provides \$23,000,000 for the Assets Forfeiture Fund as proposed in Senate bill, instead of no funding as proposed in the House bill.

#### RADIATION EXPOSURE COMPENSATION

##### ADMINISTRATIVE EXPENSES

The conference agreement recommends \$2,000,000 for fiscal year 2000, the full amount requested, the same amount proposed in both the House and Senate bills, and in accordance with the House and Senate bills.

#### PAYMENT TO RADIATION COMPENSATION EXPOSURE TRUST FUND

The conference agreement provides \$3,200,000 in direct appropriations and as-

sumes prior year carryover funding of \$7,800,000 for total of \$11,000,000 for the Compensation Trust Fund.

The Administration's fiscal year 2000 request was predicated on the passage of legislation that increased both the amount of payments to qualifying individuals and the number of categories of claimants. The proposed legislation has not been acted on and future passage is uncertain. The conferees are concerned that the Administration has expanded the number of claimants through the issuing of regulations when Congress has not chosen to do so through the normal legislative process. The conferees have provided adequate funding to cover the payments of the three categories of claimants currently provided for in statute. No additional funding is provided to cover the claims of individuals provided for by 29 CFR Part 79.

#### INTERAGENCY LAW ENFORCEMENT

##### INTERAGENCY CRIME AND DRUG ENFORCEMENT

The conference agreement includes a total of \$316,792,000 for Interagency Crime and Drug Enforcement (ICDE) as proposed in the House bill, instead of \$304,014,000 as proposed in the Senate bill. The distribution of funding provided is as follows:

##### Reimbursements by Agency

[In thousands of dollars]

Drug Enforcement Administration .....	\$104,000
Federal Bureau of Investigation ..	108,544
Immigration and Naturalization Service .....	15,300
Marshals Service .....	1,900
U.S. Attorneys .....	83,300
Criminal Division .....	790
Tax Division .....	1,344
Administrative Office .....	1,614
<b>Total .....</b>	<b>316,792</b>

The conferees continue to believe that a dedicated, focused effort is needed for this activity. Therefore, the conference agreement adopts the approach included in both the House and Senate bills to continue funding for Department of Justice components' participation in ICDE activities as a separate appropriations account, instead of providing funding directly to individual components as proposed in the President's budget. The conferees recognize that in order to be truly successful, all participants must remain committed to the program, and the program must be implemented as efficiently as possible. The conferees direct the Department of Justice to conduct a comprehensive review of the program and provide a report to the Committees on Appropriations no later than January 15, 2000, with any recommendations to improve the program.

The conference agreement includes language allowing up to \$50,000,000 to remain available until expended as proposed in the House bill, instead of \$20,000,000 as proposed in the Senate bill.

#### FEDERAL BUREAU OF INVESTIGATION

##### SALARIES AND EXPENSES

The conference agreement includes \$3,089,868,000 for the Federal Bureau of Investigation (FBI) Salaries and Expenses account as proposed in the House bill, instead of \$2,973,292,000 as proposed in the Senate bill, of which \$752,853,000 is provided from the Violent Crime Reduction Trust Fund (VCRTF) as recommended in the House bill, instead of \$280,501,000 as recommended in the Senate bill. In addition, the conference agreement provides that not less than \$292,473,000 shall be used for counterterrorism investigations, foreign counterintelligence, and other activities related to national security as proposed in the House bill, instead of \$260,000,000 as proposed

in the Senate bill. This statement of managers reflects the agreement of the conferees on how the funds provided in the conference report are to be spent.

The conference agreement includes a net increase of \$100,836,000 for adjustments to base, as follows: increases totaling \$182,935,000 for costs associated with the annualization of new positions provided in fiscal year 1999, the 2000 pay raise, increased rent, continued direct funding of the National Instant Check System, and other inflationary adjustments; offset by decreases totaling \$82,099,000 for non-recurring costs associated with the completion of the Integrated Automated Fingerprint Identification System (IAFIS) and one-time equipment purchases provided for in fiscal year 1999, the transfer of the State Identification grants program to the Office of Justice Programs, the rebaselining of certain programs to match actual expenditures, and reductions for vehicle and furniture purchases. In addition, the conference agreement includes program increases totaling \$7,484,000, which are described below:

**National Infrastructure Protection/Computer Intrusion.**—The conference agreement adopts the direction included in the Senate report requiring the conversion of 95 part-time positions for Computer Analysis Response Teams (CART) to 62 full-time positions, which will enable the FBI to increase its total effort by 20%. The conferees believe that the complexity of computer forensic examinations necessitates a cadre of personnel dedicated to this activity, which can provide the necessary investigative support to field offices, and expect the FBI to deploy these personnel in a manner which maximizes coverage and support to field offices. To ensure that these teams can effectively respond to the needs of the field, a program increase of \$3,399,000 has been provided for training, equipment, supplies and technology upgrades for these teams. The conferees direct the FBI to submit a spending plan to the Committees on Appropriations prior to the release of these funds. In addition, the conferees expect the FBI to comply with the direction included in the Senate report regarding the adequacy of examiner training, and the development of a master plan regarding current and planned capabilities to combat computer crime and intrusion.

In addition, the conference agreement provides a total of \$18,596,000 for the National Infrastructure Protection Center (NIPC), of which \$1,250,000 is for a cybercrime partnership with the Thayer School of Engineering, as proposed in the Senate report. This amount, when combined with \$2,069,436 in carryover funding, will provide a total of \$20,880,032 for the NIPC in fiscal year 2000, approximately the same level of funding available in fiscal year 1999, adjusted for costs associated with certain non-recurring requirements. It has come to the conferees' attention that concerns have been expressed regarding the adequacy of staffing levels at the NIPC. The conferees are concerned that the current FBI on-board staffing level at the NIPC is only at 80% of its authorized and funded level, and other agency participation is only at 70% of the authorized level. The conferees direct the FBI to provide a report to the Committees no later than December 1, 1999, on the actions it is taking to rectify this situation.

**Mitochondrial DNA.**—The conference agreement includes a program increase of \$2,835,000 (5 positions and 3 workyears) for the development of the use of mitochondrial DNA to assist in the identification of missing persons, as proposed in the Senate report.

**Criminal Justice Services.**—The conference agreement includes a total of \$212,566,000 for

the Criminal Justice Information Services Division (CJIS), which includes the National Instant Check System (NICS), an increase of \$81,500,000 above the request. Of this amount, \$70,235,000 is for NICS, including \$2,500,000 to be funded from prior year carryover, and \$142,331,000 is for non-NICS activities, including \$11,265,000 for an operations and maintenance shortfall affecting the Integrated Automated Fingerprint Identification System (IAFIS) and the National Crime Information Center (NCIC).

The fiscal year 2000 budget for the FBI included no direct funding for the NICS, and instead proposed to finance the costs of this system through a user fee. The conference agreement includes a provision under Title VI of this Act which prohibits the FBI from charging a fee for NICS checks, and instead provides funding to the FBI for its costs in operating the NICS.

**Indian Country Law Enforcement.**—The conferees share the concerns expressed in the Senate report regarding sexual assaults on Indian reservations. The conferees direct the FBI to reallocate not less than 25 agents to existing DOJ offices nearest to the Indian reservations identified in the Senate report. The conferees assume these agents will serve as part of multi-agency task forces dedicated to addressing this problem. While the conferees do not intend for this to be a permanent redirection of FBI resources, the conferees expect the FBI to implement this direction in the most cost effective manner possible. Therefore, the conferees direct the FBI to submit an implementation plan to the Committees on Appropriations no later than December 1, 1999, and to provide a report on the success of its investigative efforts not later than June 1, 2000.

**Information Sharing Initiative (ISI).**—The conference agreement does not include program increases for ISI. Within the total amount available to the FBI, \$20,000,000 is available from fiscal year 2000 base funding, and \$60,000,000 is available from unobligated balances from fiscal year 1999. The Bureau is again directed not to obligate any of these funds until approval by the Committees of an ISI plan.

The conferees reiterate the concerns expressed in the House report regarding the FBI's information technology initiatives. The FBI is expected to comply with the direction included in the House report regarding the submission of an Information Technology report, and is directed to provide this report to the Committees on Appropriations no later than November 1, 1999, and an updated report as part of the fiscal year 2001 budget submission.

**National Domestic Preparedness Office (NDPO).**—The FBI is considered the lead agency for crisis management; the Federal Emergency Management Agency (FEMA) is considered the lead agency for consequence management; and various other Federal agencies share additional responsibilities in the event of a terrorist attack. In the past, there has been no coordinated effort to prepare State and local governments to respond to terrorist incidents. The Department of Justice has proposed the establishment of an interagency National Domestic Preparedness Office (NDPO) to coordinate Federal assistance programs for State and local first responders, provide a single point of contact among Federal programs, and create a national standard for domestic preparedness, thereby improving the responsiveness of Federal domestic preparedness programs, while reducing duplication of effort. The conferees approve the Department's request to create the NDPO and direct the Department of Justice to submit to the Committees no later than December 15, 1999, the final blueprint for this office. Within the total amount

available to the FBI, up to \$6,000,000 may be used to provide funding for the NDPO in fiscal year 2000, subject to the submission of a reprogramming in accordance with section 605 of this Act. Further, the conferees expect the five-year interagency counterterrorism plan, which is to be submitted to the Committees no later than March 1, 2000, to identify and incorporate the NDPO's role and function.

**Other.**—From within the total amount provided under this account, the FBI is directed to provide not less than \$5,204,000 to maintain the Crimes Against Children initiative as recommended in the Senate report. In addition, not less than \$1,500,000 and 11 positions are to be provided to continue the Housing Fraud initiative as recommended in the House report. The conferees are concerned about the delay in fully implementing the Housing Fraud initiative provided for in fiscal year 1999, and expect the FBI to take all necessary actions to fully implement this initiative and report back to the Committees on Appropriations no later than December 1, 1999, on its actions.

The Senate report language regarding intelligence collection management officers, background checks for school bus drivers, the Northern New Mexico anti-drug initiative, and continued collaboration with the Southwest Surety Institute is adopted by reference. The conference agreement also adopts by reference the House report language regarding the National Integrated Ballistics Information Network (NIBIN).

In addition to identical provisions that were included in both the House and Senate bills, the conference agreement includes provisions, modified from language proposed in the House bill, authorizing the purchase of not to exceed 1,236 passenger motor vehicles, and designating \$50,000,000 for narrowband communications activities to be transferred to the Department of Justice Wireless Management Office. The Senate bill did not include provisions on these matters. The conference agreement also includes language allowing up to \$45,000 to be used for official reception and representation expenses as proposed in the House bill, instead of \$65,000 as proposed in the Senate bill, and contains statutory citations under the Violent Crime Reduction Trust Fund proposed in the House bill, which were not included in the Senate bill.

The conference agreement does not include language proposed in the Senate bill regarding the independent program office dedicated to the automation of fingerprint identification services, nor is language included limiting the total number of positions and workyears available to the FBI in fiscal year 2000. The House bill did not include similar provisions on these matters. However, the conferees are concerned about the continued variances between the FBI's funded and actual staffing levels. Therefore, the conferees direct the FBI to provide quarterly reports to the Committees on Appropriations which delineate the funded and the actual agent and non-agent staffing level for each decision unit, with the first report to be provided no later than December 1, 1999.

#### CONSTRUCTION

The conference agreement includes \$1,287,000 in direct appropriations for construction for the Federal Bureau of Investigation (FBI), as provided for in the House bill, instead of \$10,287,000 as proposed in the Senate bill. The agreement includes the funding necessary to continue necessary improvements and maintenance at the FBI Academy.

DRUG ENFORCEMENT ADMINISTRATION  
SALARIES AND EXPENSES

The conference agreement includes \$1,276,250,000 for the Drug Enforcement Administration (DEA) Salaries and Expenses account as proposed in the House bill, instead of \$1,217,646,000 as proposed in the Senate bill, of which \$343,250,000 is provided from the Violent Crime Reduction Trust Fund (VCRTF), instead of \$344,250,000 as proposed in the House bill, and \$419,459,000 as proposed in the Senate bill. In addition, \$80,330,000 is derived from the Diversion Control Fund for diversion control activities. This statement of managers reflects the agreement of the conferees on how the funds provided in the conference report are to be spent.

**Budget and Financial Management.**—The conferees share the concerns expressed in both the House and Senate reports regarding DEA's budget and financial management practices, including DEA's failure to comply with section 605 of the appropriations Acts, resulting in resources being expended in a manner inconsistent with the appropriations Acts. As a result of these concerns, a comprehensive review was conducted by the Department of Justice and DEA, and a report was provided to the Committees on Appropriations on July 8, 1999, which recommended a series of management reforms to be implemented by DEA and included a revised budget submission for fiscal year 2000. The conferees expect DEA to expeditiously implement all management reforms recommended in that report. Further, the conference agreement has used the revised budget submission as the basis for funding provided for fiscal year 2000. The following table represents funding provided under this account:

## DEA SALARIES AND EXPENSES

(Dollars in thousands)

Activity	Pos.	FTE	Amount
<b>Enforcement:</b>			
Domestic enforcement .....	2,195	2,134	\$377,008
Foreign cooperative investigation .....	730	689	200,678
Drug and chemical diversion .....	142	143	14,598
State and local task forces .....	1,678	1,675	233,073
Subtotal .....	4,745	4,641	825,357
<b>Investigative Support:</b>			
Intelligence .....	883	900	106,133
Laboratory services .....	381	378	42,833
Training .....	99	98	19,861
RETO .....	355	353	101,783
ADP .....	131	129	96,994
Subtotal .....	1,849	1,858	367,604
<b>Management and administration .....</b>	<b>857</b>	<b>849</b>	<b>83,289</b>
<b>Total, DEA .....</b>	<b>7,451</b>	<b>7,348</b>	<b>1,276,250</b>

DEA is reminded that any deviation from the above distribution is subject to the reprogramming requirements of section 605 of this Act.

The conference agreement provides a net increase of \$20,312,000 for pay and other inflationary costs to maintain current operations, as follows: increases totaling \$50,220,000 for costs associated with annualization of 617 new positions provided in fiscal year 1999, the 2000 pay raise, increased rent, and other inflationary increases; offset by decreases totaling \$29,908,000 for costs associated with one-time and non-recurring equipment purchases and other items provided for in fiscal year 1999, and a general reduction in administrative overhead.

In addition, the conference agreement includes program increases totaling \$41,925,000, as follows:

**Caribbean Initiative.**—The conference agreement includes a total of \$5,500,000 (17 positions, including 11 agents) to augment the

Caribbean Initiative funded in fiscal years 1998 and 1999, as follows:

—\$1,900,000 within Domestic Enforcement for 17 positions and 9 workyears for new agents and support in Puerto Rico;

—\$500,000 within Domestic Enforcement to address law enforcement retention efforts in Puerto Rico, including the development of a community liaison office and center to provide assistance to Department of Justice employees and their families;

—\$3,100,000 within Research, Engineering, Test and Operations (RETO) to purchase four MWIR airborne thermal imaging systems and eight installation kits for UH-60 aircraft to support multi-agency operations in the Bahamas and North Caribbean. The conferees expect these aircraft to be configured like the US Customs Service UH-60 counter-drug aircraft to enhance interoperability.

The conferees direct DEA to provide quarterly status reports on the implementation of these initiatives. Further, the conference agreement adopts by reference the House report language regarding requirements related to the Caribbean.

**Source Country/International Strategy.**—Within the amount provided for Foreign Cooperative Investigations, the conference agreement includes program increases totaling \$5,000,000 (19 positions, including 8 agents) to enhance staffing in Central and South America, as follows:

—\$1,500,000 for 6 positions, including 2 agents, to enhance staffing in Panama (3 positions, including 2 agents), Nicaragua (1 position), and Belize (2 positions); and

—\$3,500,000 for 13 positions, including 6 agents, to enhance staffing in Argentina (2 positions, including 1 agent), Brazil (3 positions, including 2 agents); Chile (2 positions, including 1 agent); Peru (2 positions); and Venezuela (4 positions, including 2 agents).

The conferees are aware of concerns expressed regarding the adequacy of non-agent personnel in source countries, resulting in agent resources being used to perform functions more efficiently performed by non-agent personnel. Therefore, the conference agreement has included additional non-agent positions to address this problem. The conferees urge the DEA to review the adequacy of non-agent personnel in source countries to ensure that adequate support is provided. DEA is expected to provide quarterly reports on investigative and non-investigative workyears and funding, by type, within source and transit countries, including the Caribbean, delineated by country and function, with the first report to be provided not later than November 15, 1999.

**Domestic Enhancements.**—The conference agreement includes program increases totaling \$10,700,000 for domestic counter-drug activities, exclusive of the Caribbean Initiative. Included are the following program increases:

—\$4,600,000 within Domestic Enforcement for 25 positions (15 agents) and 13 workyears for Regional Enforcement Teams (RETS), to provide a total of \$17,400,000 for RETS in fiscal year 2000. The conferees expect the additional personnel and resources provided to be dedicated to locations in the Western United States as determined by DEA, and to focus primarily on the methamphetamine problem in that geographic region;

—\$2,800,000 within State and Local Task Forces for 20 positions (12 agents) and 10 workyears for Mobile Enforcement Teams (METs), to provide a total of \$53,900,000 for METs in fiscal year 2000. The conferees expect the additional personnel and resources provided to be dedicated to locations as determined by DEA, and to focus primarily on the problems of black tar heroin and methamphetamines;

—\$1,500,000 within State and Local Task Forces for State and local methamphet-

amine training, as recommended in the Senate report;

—\$1,000,000 within Domestic Enforcement for Drug Demand Reduction programs, as recommended in the House report;

—\$400,000 within Domestic Enforcement for black tar heroin and methamphetamine enforcement along the Southwest border to address this problem in cooperation with other Federal law enforcement agencies, with particular emphasis on the illegal drug trafficking problem in Northern New Mexico;

—\$400,000 within State and Local Task Forces for support for methamphetamine enforcement in Iowa, as directed in the Senate report.

In addition, DEA is expected to comply with the direction included in the House report regarding DEA's continued participation in the HIDTA program, and support for DEA's newly established office in Madisonville, Kentucky. DEA is also expected to comply with the direction included in the Senate report regarding Operation Pipeline.

**Investigative Support Requirements.**—The conference agreement includes \$20,725,000 to address critical infrastructure needs, as follows:

—\$7,725,000 within RETO to consolidate and enhance DEA's electronic surveillance capabilities to support multi-agency, multi-jurisdictional investigations;

—\$13,000,000 within ADP to accelerate the completion of Phase II of FIREBIRD to December 2001. This amount will provide a total of \$44,890,000 in fiscal year 2000 for FIREBIRD, of which \$37,490,000 is to be for deployment only, and \$7,400,000 is for operations and maintenance (O&M) of the system, the full amount requested in the budget. Should additional funds be required for O&M, the Committees would be willing to entertain a reprogramming in accordance with section 605 of the Act. The conferees share the concerns expressed in the House report regarding this program, and direct DEA to provide a full program plan for completion of Phase II of FIREBIRD, including deployment and O&M costs, to the Committees on Appropriations not later than December 1, 1999, and to provide quarterly status reports thereafter on deployment and O&M, delineated by location and function.

**Drug Diversion Control Fee Account.**—The conference agreement provides \$80,330,000 for DEA's Drug Diversion Control Program, including \$3,260,000 in adjustments to base and program increases, as requested. In addition, the Senate report language regarding development of electronic reporting and records systems is adopted by reference. The conference agreement assumes that the level of balances in the Fee Account are sufficient to fully support diversion control programs in fiscal year 2000. As was the case in fiscal year 1999, no funds are provided in the DEA Salaries and Expenses appropriation for this account in fiscal year 2000.

## CONSTRUCTION

The conference agreement includes \$5,500,000 in direct appropriations for construction for the Drug Enforcement Administration (DEA) as proposed in the Senate bill, instead of \$8,000,000 as proposed in the House bill.

## IMMIGRATION AND NATURALIZATION SERVICE

## SALARIES AND EXPENSES

The conference agreement includes \$2,909,665,000 for the salaries and expenses of the Immigration and Naturalization Service (INS), instead of \$2,932,266,000 as provided in the House bill, and \$2,570,164,000 as provided in the Senate bill, of which \$1,267,225,000 is from the Violent Crime Reduction Trust Fund, instead of \$1,311,225,000 as proposed in the House bill and \$873,000,000 as proposed in

the Senate bill. In addition to the amounts appropriated, the conference agreement assumes that \$1,269,597,000 will be available from offsetting fee collections instead of \$1,285,475,000 as proposed by the House and \$1,290,162,000 as proposed by the Senate. Thus, including resources provided under construction, the conference agreement provides a total operating level of \$4,260,416,000 for INS, instead of \$4,289,231,000 as proposed by the House and \$3,999,290,000 as proposed by the Senate. This statement of managers reflects the agreement of the conferees on how the funds provided in the conference report are to be spent.

**Base adjustments.**—The conference agreement provides \$54,740,000 for base restoration, instead of the requested \$55,830,000, and provides \$7,112,000 for the annualization of the fiscal year 1999 pay raise, instead of the requested \$14,961,000, the remaining amount of which has already been paid in the current fiscal year. Additionally, the conference agreement includes \$30,000,000 for the annualization of the Working Capital Fund base transfer, \$3,794,000 for the National Archives records project, and \$1,090,000 of the base restoration for fiscal year 1999 adjustments to base which are funded in the Examinations Fee account, since sufficient funds are available. The conference agreement does not include \$11,240,000 for the Interagency Crime and Drug Enforcement funds, which are provided in a separate account or \$20,000,000 for the annualization of border patrol agents not hired. The conference agreement does not include the transfers to the Examinations Fee account, H-1b account, or the breached bond/detention account, as proposed by the Senate report.

**INS Organization and Management.**—The conference agreement includes the concerns expressed in the House report that a lack of resources is no longer an acceptable response to INS's inability to adequately address its mission responsibilities. The conference agreement includes the establishment of clearer chains of command—one for enforcement activities and one for service to non-citizens—as one step towards making the INS a more efficient, accountable, and effective agency, as proposed in both the House and Senate reports. Consistent with the concept of separating immigration enforcement from service, the conference agreement continues to provide for a separation of funds, as in fiscal year 1999 and in the House bill. The conference agreement includes the separation of funds into two accounts, as requested and as proposed in the House bill: Enforcement and Border Affairs, and Citizenship and Benefits, Immigration Support and Program Direction. INS enforcement funds are placed under the Enforcement and Border Affairs account. All immigration-related benefits and naturalization, support and program resources are placed under the Citizenship and Benefits, Immigration Support and Program Direction account. Neither account includes revenues generated in various fee accounts to fund program activities in both enforcement and functions, which are in addition to the appropriated funds and are discussed below. Funds for INS construction projects continue to fall within the INS construction account.

The conference agreement includes bill language which provides authority for the Attorney General to transfer funds from one account to another in order to ensure that funds are properly aligned. Such transfers may occur notwithstanding any transfer limitations imposed under this Act but such transfers are still subject to the reprogramming requirements under Section 605 of this Act. It is expected that any request for transfer of funds will remain within the activities under those headings.

The conference agreement includes \$1,107,429,000 for Enforcement and Border Affairs, \$535,011,000 for Citizenship and Benefits, Immigration Support and Program Direction, and \$1,267,225,000 from the Violent Crime Reduction Trust Fund.

The Enforcement and Border Affairs account is comprised of the following amounts: \$922,224,000 for existing base activities for Border Patrol, Investigations, Detention and Deportation, and Intelligence; less \$11,240,000 for the Interagency Crime and Drug Enforcement funds, which are provided in a separate account, less \$20,000,000 for the annualization of border patrol agents not hired and less \$7,555,000 for part of the fiscal year 1999 annualized pay raise, the remaining amount of which has already been paid in the current fiscal year.

The Citizenship and Benefits, Immigration Support and Program Direction account includes \$539,099,000 (plus VCRTF funds) for the existing activities of citizenship and benefits, immigration support, and management and administration; less \$294,000 of the annualized fiscal year 1999 pay raise which has already been paid within the current year, and less \$3,794,000 for archives and records, which are now funded within the Examinations Fee account. The requested \$30,000,000 base restoration and the \$1,090,000 base restoration for fiscal year 1999 adjustments to base need not be funded in the Salaries and Expenses base since sufficient funds are available within the Examinations Fee account. None of these amounts include offsetting fees, which are used to fund both enforcement and service functions.

**Border Control.**—The conference agreement includes \$50,000,000 for 1,000 new border patrol agents and 475 FTEs, of which \$1,500,000 is for border patrol recruitment devices, such as language proficiency bonuses, recruitment bonuses, and costs for improved recruitment outreach programs, including the possibility of expanding testing capabilities and other hiring steps, as described in the Senate report, and the establishment of an Office of Border Patrol Recruitment and Retention, as described in the Senate report, including the submission of recommendations on pay and benefits. Owing to INS's failure to hire 1,000 border patrol agents in fiscal year 1999, INS may provide a recruiting bonus to new agents hired after January 1, 2000. Should the INS be unable to recruit the required agents by June 1, 2000, the only other allowable purpose to which the \$48,500,000 may be put is an increase in pay for non-supervisory agents who have served at a GS-9 level for more than one year. The Committees on Appropriations expect to be notified prior to the use of funds for a pay raise.

The conference report also includes \$22,000,000 for additional border patrol equipment and technology, to be funded from existing base resources for information resource management, as follows: \$9,350,000 for infrared night vision scopes; \$6,375,000 for night vision goggles; \$4,050,000 for pocket scopes; and \$2,225,000 for laser aiming modules and infrared target pointers/illuminators. Additionally, the conference agreement includes \$3,000,000, funded from the existing base for information resource management, for the Law Enforcement Support Center, as described in the Senate report.

The conference agreement includes the following reports on border-related activities and technologies: (1) hand-held night-vision binocular report by March 1, 2000, as in the House report; (2) night vision obligation report by December 15, 1999, as in the House report; (3) all-light, all-weather ground surveillance capability report by March 1, 2000, as in the House report; (4) border patrol hiring

and spending plan for fiscal year 1999 by September 15, 1999, as in the House report; (5) report on the situation in the Tucson sector by October 1, 1999, as in the House report; (6) fiscal year 1999 border patrol aviation final report; and (7) a feasibility report on the participation of the Tucson sector in the ambulance reimbursement program by January 15, 2000. All overdue reports are still expected to be submitted to the Committees. The conferees are aware of a recently filed lawsuit against the INS and the Army Corps of Engineers challenging the major drug interdiction effort known as Operation Rio Grande and its impact on the environment. The conferees are concerned about the potential adverse effects that this suit may have on drug interdiction efforts. The conferees, therefore, direct the Department of Justice, within 30 days of enactment, to provide the House and Senate Appropriations Committees with a report on the status of this lawsuit.

**IAFIS/IDENT.**—The conferees direct the Assistant Attorney General for Administration to submit a plan by November 1, 1999, to integrate the INS IDENT and the FBI IAFIS systems. This plan should address Congressional concerns that the current environment does not provide other Federal, State and local law enforcement agencies with access to fingerprint identification information captured by INS Border Patrol agents, nor does it provide the Border Patrol with the full benefit of FBI criminal history records when searching criminal histories of persons apprehended at the border.

The conferees direct that the following studies be undertaken: a system design effort; a joint INS-FBI criminality study, involving a matching of IDENT recidivist records against the Criminal Master File; a study to determine the operational impact of 10-printing apprehended illegal crossers at the border; and an engineering proposal for the first phase to determine the validity of the systems development costs that have been estimated by the FBI. These studies will provide the data necessary to project accurate costs for the remainder of the development and implementation. The conferees expect that the Justice Management Division will oversee the integration effort and that all existing INS base funds for IDENT will be controlled by the Assistant Attorney General for Administration. The Assistant Attorney General for Administration shall submit to the Committees a proposed spending plan on the use of existing base funds available for IDENT for these studies and other related expenditures no later than December 15, 1999.

**Deployment of border patrol resources.**—The conference agreement directs the INS to continue its consultation with the Committees on Appropriations of both the House and Senate before deployment of new border patrol agents included in this conference agreement. In recognition of the increased problems in and around El Centro, California; Tucson, Arizona; the Southeastern states; and around the Northern border, as described in both the House and Senate reports, the conferees expect that the proposed deployment plan submitted to the Committees by INS will include an appropriate distribution to address these needs.

**Interior enforcement.**—The conference agreement includes \$5,000,000 in additional funding within existing resources to continue and to expand the local jail program pursuant to Public Law 105-141. The conferees direct the INS to staff the Anaheim City Jail portion of this program with trained INS personnel on a full-time basis, especially the portions of the day or night when the greatest number of individuals are incarcerated prior to arraignment.

The conference agreement includes the following reports: (1) by January 15, 2000, a report on possible new quick response teams (QRTs), as described in the House report; (2) by November 30, 1999, the revised interior enforcement plan, as described in the House report; and (3) by January 15, 2000, the local jail program status report, as described in the House report.

**Detention.**—The conference agreement provides \$200,000,000 for additional detention space for detaining criminal and illegal aliens, as described in the House report, of which \$174,000,000 is in direct appropriations and \$26,000,000 is from recoveries from the Violent Crime Reduction Trust Fund for fiscal year 1995. This amount is \$30,000,000 less than the budget request and is funded from direct appropriations instead of the requested combination of appropriated funds, reinstatement of Section 245(i), transfer of funds from the Crime Victims Fund and a reallocation of funds within the account. The conference agreement continues funding for the \$80,000,000 for detention provided in fiscal year 1999 supplemental appropriations and provides an additional 1,216 new beds for a total of approximately 18,535 detention beds in fiscal year 2000, and provides 176 additional detention and deportation staff to support these beds and \$4,000,000 and 10 positions to begin implementation of standards at detention facilities.

The conference agreement includes the concerns raised in the House report about the INS's ability to plan for, request in a timely fashion, and manage sufficient detention space. Accordingly, the conference agreement includes the following reports: (1) by September 1, 1999, recommendations by the Attorney General on a Department-wide strategy on detention, as described in the House report; (2) by January 15, 2000, a detailed assessment of INS's current and projected detention needs for the next 3 years, as described in both the House and Senate reports, and including possible supplemental detention locations such as Etowah County Detention Center near Atlanta and Tallahatchie County prison in Tutwiler, a hiring plan for the additional detention and deportation personnel, and a proposal for the expansion of the number of juvenile detention beds; (3) by December 1, 1999, a report on the detention needs and costs associated with Operation Vanguard, as described in the House report; and (4) by March 1, 2000, a feasibility study and implementation plan for utilizing the Justice Prisoner and Alien Transportation System for a greater number of deportations. All overdue reports are still expected to be submitted to the Committees.

**Naturalization.**—The conference agreement includes full funding to continue the fiscal year 1999 Backlog Reduction Action Teams (BRAT) and accompanying resources during fiscal year 2000. The conference agreement includes the concerns raised in the House report about recently-discovered naturalization cases processed during the Citizenship USA initiative and requests a report on these cases by March 1, 2000, as described in the House report.

**Institutional Removal Program.**—The conferees assume that, in the implementation of the Institutional Removal Program (IRP), priority is given to violent offenders and those arrested for drug violations. The conferees direct the INS, in consultation with the Executive Office of Immigration Review, to report to the Committees on Appropriations on IRP caseload, by case type, for fiscal years 1997-1999. If the IRP caseload does not give priority to aliens imprisoned for serious violent felonies or drug trafficking, the INS is directed to explain why and to outline the steps it will take to focus IRP efforts on the most dangerous incarcerated aliens. The

report shall be delivered not later than March 31, 2000.

**Other.**—In spite of the direction in the fiscal year 1999 supplemental appropriations Act to promptly submit all previously requested and overdue reports, the INS has failed to do so. Therefore, the conference agreement again includes the direction to INS to submit all outstanding reports to the Committees no later than November 1, 1999. The conference agreement also includes the following items: (1) Senate report language on special agent deployments aimed at forcing the INS to execute directives contained in both the fiscal year 1999 INS deployment plan and the conference report; (2) Senate direction to INS on assessment of staffing along the U.S.-Canadian border; and (3) Senate direction for INS-proposed periodic visits to the upper Shenandoah Valley.

#### OFFSETTING FEE COLLECTIONS

The conference agreement assumes \$1,269,597,000 will be available from offsetting fee collections, instead of \$1,285,475,000 as proposed by the House and \$1,290,162,000 as proposed by the Senate, to support activities related to the legal admission of persons into the United States. These activities are entirely funded by fees paid by persons who are either traveling internationally or are applying for immigration benefits. The following levels are recommended:

**Immigration Examinations Fees.**—The conference agreement assumes \$708,500,000 of spending from Immigration Examinations Fee account resources, instead of \$712,800,000 as proposed by both the House and Senate. This is an increase of \$19,921,000 over fiscal year 1999 and is due to an increase in the estimate of the number of applications that will be received in fiscal year 2000. The conference agreement assumes that the requested \$3,794,000 for archives and records, the requested \$30,000,000 for base restoration, and the requested \$1,090,000 base for fiscal year 1999 adjustments to base are funded in this account, and not in the Salaries and Expenses, Citizenship and Benefits, Immigration Support and Program Direction account, since sufficient funds are available.

The conference agreement includes full funding to continue the fiscal year 1999 Backlog Reduction Action Teams (BRAT) and accompanying resources for fiscal year 2000. The agreement also continues funding for the implementation of a telephone customer service center to assist applicants for immigration benefits, for the indexing and conversion of INS microfilm images and for the records centralization initiative, and all projects which were funded in fiscal year 1999. The conferees have a strong interest in and supported in fiscal year 1999 the INS effort to modernize its records program, that is fundamental to improved services and enforcement activities. INS is therefore directed to fully fund the records centralization and redesign activities in Harrisonburg, VA and Lee Summit, MO and provide a progress report on records centralization to the Committee on Appropriations no later than January 15, 2000.

The agreement does not include the transfer to the Executive Office for Immigration Review, as proposed by the Senate report.

**Inspections User Fee.**—The conference agreement includes \$446,151,000 of spending from offsetting collections in this account, the same amount proposed in both the House and Senate reports, and does not assume the addition of any new or increased fees on airline or cruise ship passengers. The recommendation does not include \$9,918,000 for "re-evaluation of receipts" nor \$888,000 for a portion of the annualization of 1999 pay raise which has already been paid in the current fiscal year. The agreement includes the data

collection pilot program at J.F. Kennedy airport, as described in the House report, and the resulting report, to be submitted to the Committees no later than August 1, 2000, as well as the directive to submit certain documents by September 31, 1999, as described in the House report. The agreement does not include the transfer from the inspections user fee, as proposed in the Senate report.

**Land border inspections fees.**—The conference agreement includes \$1,548,000 in spending from the Land Border Inspection Fund, a decrease of \$1,727,000 under the current year due to lower projected receipts. The current revenues generated in this account are from Dedicated Commuter Lanes in Blaine and Port Roberts, Washington, Detroit Tunnel and Ambassador Bridge, Michigan, and Otay Mesa, California and from Automated Permit Ports that provide pre-screened local border residents' border crossing privileges by means of automated inspections. The conference agreement includes the report on the feasibility of adding a secure electronic network for travelers rapid inspection program for dedicated commuter lanes at San Luis, Arizona by March 1, 2000, as described in the House report.

**Immigration Breached Bond/Detention account.**—The conference agreement includes \$110,423,000 in spending from the Breached Bond/Detention account, instead of \$117,501,000 in the House report and \$127,771,000 in the Senate report, a decrease in \$66,527,000 from fiscal year 1999 due to a decrease in revenue and \$6,477,000 below the request. The level of spending assumed in the conference agreement is based on estimated revenues in this account totaling \$55,683,000, which includes revenue projected for fiscal year 1999 and assumes the availability of funds from penalty fees from applications under 245(i) of the Immigration and Nationality Act, which expired on January 14, 1998. The conference agreement assumes \$54,740,000 of expenses for alien detention costs provided under the salaries and expenses account for base restoration. The agreement does not include the base transfer to the breached bond/detention account, as proposed by the Senate report.

**Immigration Enforcement Fines.**—The conference agreement includes \$1,850,000 in spending from Immigration Enforcement fines, instead of \$1,303,000 assumed in both the House and Senate. The increase is due to new projections of carryover from fiscal year 1999 that will be available in fiscal year 2000.

**H-1B fees.**—The conference agreement includes \$1,125,000 in spending from the new H-1B fee account, the amount requested and the amount proposed in both the House and Senate. This new account supports the processing of applications for H-1B temporary workers. The agreement does not include the transfer to this account, as proposed by the Senate report.

**Other.**—The conference agreement includes bill language, similar to that included in previous appropriations Acts, which provides: (1) up to \$50,000 to meet unforeseen emergencies of a confidential nature; (2) for the purchase of motor vehicles for police-type use and for uniforms, without regard to general purchase price limitations; (3) for the acquisition and operation of aircraft; (4) for research related to enforcement of which up to \$400,000 is available until expended; (5) up to \$10,000,000 for basic officer training; (6) up to \$5,000,000 for payments to State and local law enforcement agencies engaged in cooperative activities related to immigration; (7) up to \$5,000 to be used for official reception and representation expenses; (8) up to \$30,000 to be paid to individual employees for overtime; (9) that funds in this Act or any other Act may not be used for the continued operation of the San Clemente and

Temecula checkpoints unless the checkpoints are open and traffic is being checked on a continuous 24-hour basis; (10) a specific level of funding for the Offices of Legislative and Public Affairs with a modification, and incorporating by reference House direction including that the level is not to affect the number of employees dedicated to casework; (11) a limit on the amount of funding available for non-career positions; (12) direction and authorization to the Attorney General to impose disciplinary actions, including termination of employment, for any INS employee who violates Department policies and procedures relative to granting citizenship or who willfully deceives the Congress or Department leadership on any matter; and (13) separate headings for Enforcement and Border Affairs and Citizenship and Benefits, Immigration Support, and Program Direction. In addition, new bill language is included designating a portion of funds to be used for narrowband conversion activities and transfers these funds to the Department of Justice Wireless Management Office. The agreement does not include the Senate provisions on fee payments by cash or cashier's checks or the cap on the number of positions.

#### CONSTRUCTION

The conference agreement includes \$99,664,000 for construction for INS, instead of \$90,000,000 as proposed in the House bill and \$138,964,000 as proposed in the Senate bill. The conference agreement assumes funding of \$51,468,000, of which \$35,968,000 is for border patrol and ports of entry new construction (seven stations or sector headquarters and two ports of entry housing) as proposed in the Senate report; \$6,500,000 for the Douglas, Arizona border patrol station; and \$9,000,000 for maintenance and renovations to the Charleston Border Patrol Academy. The agreement includes \$2,340,000 for planning, site acquisition and design of 5 border patrol stations and Texas checkpoints, as in the House report; \$6,000,000 for military engineering support to border construction, pursuant to both House and Senate reports; \$500,000 for planning, site acquisition and design, pursuant to the House report; \$10,308,000 for one-time build out costs; \$19,250,000 for servicewide maintenance and repair; \$4,000,000 for servicewide fuel storage tank upgrade and repair; and \$5,798,000 for program execution. The conference agreement also includes bill language, included in fiscal year 1999 and in the House bill, prohibiting site, acquisition, design, or construction of any border patrol checkpoint in the Tucson sector.

#### FEDERAL PRISON SYSTEM SALARIES AND EXPENSES

The conference agreement includes \$3,111,634,000 for the salaries and expenses of the Federal Prison System, instead of \$3,072,528,000 as proposed in the House bill and \$3,163,373,000 as proposed in the Senate bill. Of this amount, the conference agreement provides \$22,524,000 from the Violent Crime Reduction Trust Fund (VCRTF), as proposed in the House bill, instead of \$46,599,000 as proposed in the Senate bill. The agreement assumes that, in addition to the amounts appropriated, \$90,000,000 will be available for necessary operations in fiscal year 2001 from unobligated carryover balances as proposed by the House bill, instead of \$50,000,000, to be made available for one fiscal year for activation of new facilities, as proposed by the Senate bill.

The conference agreement reduces the appropriation required for the Federal prison system by \$46,793,000 without affecting requested program levels. Specifically, \$31,808,000 in savings is achieved as a result of delays in scheduled activations and

\$4,985,000 is due to a reduction in the number of contract beds for the transfer of detainees from the Immigration and Naturalization Service required in fiscal year 2000. The conference agreement includes the notation on a recent report by the General Accounting Office, as in the House report.

The conference agreement includes bill language designating a portion of funds to be used for narrowband conversion activities and transfers these funds to the Department of Justice Wireless Management Office.

#### BUILDINGS AND FACILITIES

The conference agreement includes \$556,791,000 for construction, modernization, maintenance and repair of prison and detention facilities housing Federal prisoners, as proposed in the House bill, instead of \$549,791,000 as proposed in the Senate bill, and assumes funding in accordance with the House bill.

The conferees direct the Bureau of Prisons to submit to the Committees a study of the feasibility of constructing additional medium or high security prisons or work camps at existing Federal prison sites, including those currently being constructed, and including Yazoo City, by May 1, 2000.

#### FEDERAL PRISON INDUSTRIES, INCORPORATED (LIMITATION ON ADMINISTRATIVE EXPENSES)

The conference agreement includes a limitation on administrative expenses of \$3,429,000, as requested and as proposed in the Senate bill, instead of \$2,490,000 as proposed in the House bill.

#### OFFICE OF JUSTICE PROGRAMS

##### JUSTICE ASSISTANCE

The conference agreement includes \$307,611,000 for Justice Assistance, instead of \$217,436,000 as proposed in the House bill, and \$373,092,000 as proposed in the Senate bill.

The conference agreement includes the following:

##### *Justice Assistance Programs*

(In thousands of dollars)

National Institute of Justice .....	\$43,448
Defense/Law Enforcement Technology Transfer .....	(10,277)
DNA Technology R&D Program .....	(5,000)
Bureau of Justice Statistics .....	25,505
Missing Children .....	19,952
Regional Information Sharing System <sup>1</sup> .....	20,000
National White Collar Crime Center .....	9,250
Management and Administration <sup>2</sup> .....	37,456
Subtotal .....	155,611
Counterterrorism Programs:	
General Equipment Grants .....	75,000
State and Local Bomb Technician Equipment Grants .....	10,000
Training Grants .....	37,000
Counterterrorism Research and Development .....	30,000
Subtotal .....	152,000
Total, Justice Assistance .....	307,611

<sup>1</sup>\$5,000,000 included in COPS Technology, for a total of \$25,000,000.

<sup>2</sup>\$2,000,000 is included in the total Management and Administration amount for Counterterrorism programs.

This statement of managers reflects the agreement of the conferees on how funds provided for all programs under the Office of Justice Programs in this conference report are to be spent.

*National Institute of Justice (NIJ).*—The conference agreement provides \$43,448,000 for the National Institute of Justice, instead of

\$42,438,000 as proposed in the House bill and \$50,948,000 in the Senate bill. Additionally, \$5,200,000 for NIJ research and evaluation on the causes and impact of domestic violence is provided under the Violence Against Women Grants program; \$15,000,000 is provided from within technology funding in the State and Local Law Enforcement account to be available to NIJ to develop new, more effective safety technologies for safe schools; and \$20,000,000 is provided to NIJ, as was provided in previous fiscal years, from the Local Law Enforcement Block Grant for assisting local units to identify, select, develop, modernize and purchase new technologies for use by law enforcement.

The conference agreement adopts the recommendation in the House and Senate reports that within the overall amount provided to NIJ, the Office of Justice Programs is expected to review proposals, provide a grant if warranted, and report to the Committees on its intentions regarding: a grant for the current year level for information technology applications for High Intensity Drug Trafficking Areas; a grant for the current year level for a pilot program with a Department of Criminal Justice Training and a College of Criminal Justice for rural law enforcement needs, as described in the House report; a grant for \$300,000 to the U.S.-Mexico Border Counties Coalition for the development of a uniform accounting proposal to determine the costs to border States for the processing of criminal illegal aliens; a grant for \$250,000 to study the casework increase on U.S. District Courts; \$360,000 to the Center for Child and Family studies to conduct research into intra-family violence; a grant for \$750,000 for the University of Connecticut Prison Health Center for prison health research; a grant for \$1,000,000 for the University of Mississippi School of Psychiatry for research in addictive disorders and their connection to youth violence; and a grant for \$300,000 for research into a non-toxic drug detection and identification aerosol technology, as described in the Senate report. Within available funds NIJ is directed to carry out a broad-based demonstration of computerized live scan fingerprint capture services and report to the Committees with the results.

*Defense/Law Enforcement Technology Transfer.*—Within the total amount provided to NIJ, the conference agreement includes \$10,277,000 to assist NIJ, in conjunction with the Department of Defense, to convert non-lethal defense technology to law enforcement use. Within the amount is the continuation at the current year level of the law enforcement technology center network, which provides States with information on new equipment and technologies, as well as assists law enforcement agencies in locating high cost/low use equipment for use on a temporary or emergency basis, of which the current year level is provided for the technology commercialization initiative at the National Technology Transfer Center and other law enforcement technology centers.

*DNA Technology Research and Development Program.*—Within the amount provided, the conference agreement includes \$5,000,000 to develop improved DNA testing capabilities, as proposed in the House and Senate reports.

*Bureau of Justice Statistics (BJS).*—The conference agreement provides \$25,505,000 for the Bureau of Justice Statistics, instead of \$22,124,000 as proposed in the House bill and \$28,886,000 as proposed in the Senate bill. The recommendation includes \$400,000 to support the National Victims of Crime survey and \$400,000 to compile statistics on victims of crime with disabilities. The conferees direct BJS to implement a voluntary annual reporting system of all deaths occurring in law enforcement custody, and provide a report to



the Committees on its progress no later than July 1, 2000, as provided in the House report.

**Missing Children.**—The conference agreement provides \$19,952,000 for the Missing Children Program as proposed in the Senate bill, instead of the \$17,168,000 as proposed in the House bill. The conference agreement provides a significant increase and further expands the Missing Children initiative included in the 1999 conference report, to combat crimes against children, particularly kidnapping and sexual exploitation. Within the amounts provided, the conference agreement assumes funding in accordance with the Senate report including:

(1) \$8,798,000 for the Missing Children Program within the Office of Justice Programs, Justice Assistance, including the following: \$6,000,000 for State and local law enforcement to continue specialized cyberunits and to form new units to investigate and prevent child sexual exploitation which are based on the protocols for conducting investigations involving the Internet and online service providers that have been established by the Department of Justice and the National Center for Missing and Exploited Children.

(2) \$9,654,000 for the National Center for Missing and Exploited Children, of which \$2,125,000 is provided to operate the Cyber Tip Line and to conduct Cyberspace training. The conferees expect the National Center for Missing and Exploited Children to continue to consult with participating law enforcement agencies to ensure the curriculum, training, and programs provided with this additional funding are consistent with the protocols for conducting investigations involving the Internet and online service providers that have been established by the Department of Justice. The conferees have included additional funding for the expansion of the Cyber Tip Line. The conference agreement includes \$50,000 to duplicate the America OnLine law enforcement training tape and disseminate it to law enforcement training academies and police departments within the United States. The conference agreement also includes additional funds for case management.

(3) \$1,500,000 for the Jimmy Ryce Law Enforcement Training Center for training of State and local law enforcement officials investigating missing and exploited children cases. The conference agreement includes an increase for expansion of the Center to train additional law enforcement officers. The conferees direct the Center to create courses for judges and prosecutors to improve the handling of child pornography cases. To accomplish this effort, the conference agreement directs the Center to expand its in-house legal division so that it can provide increased legal technical assistance.

**Regional Information Sharing System (RISS).**—The conference agreement includes \$20,000,000 as proposed in both the House and Senate bills. An additional \$5,000,000 is provided for fiscal year 2000 under the Community Oriented Policing Services (COPS) law enforcement technology program in accordance with the House report.

**White Collar Crime Center.**—The conference agreement includes \$9,250,000 for the National White Collar Crime Center (NWCCC), to assist the Center in forming partnerships and working on model projects with the private sector to address economic crimes issues, as proposed in the House bill, instead of \$5,350,000 as proposed in the Senate bill. The additional funding is to be used in accordance with the House report.

**Counterterrorism Assistance.**—The conference agreement includes a total of \$152,000,000 to continue the initiative to prepare, equip, and train State and local entities to respond to incidents of chemical, biological, radiological, and other types of do-

mestic terrorism, instead of \$74,000,000 as proposed in the House bill and \$204,500,000 as proposed in the Senate bill. Funding is provided as follows:

—**Equipment Grants.**—\$75,000,000 is provided for general equipment grants for State and local first responders, including, but not limited to, firefighters and emergency services personnel. The conferees reiterate that these resources are to be used to meet the needs of the maximum number of communities possible, based upon a comprehensive needs assessment which takes into account the relative risk to a community, as well as the availability of other Federal, State and local resources to address this problem. The conferees understand that such needs and risk assessments are currently being conducted by each State, and State-wide plans are being developed. The conferees intend, and expect, that such plans will address the needs of local communities. The conferees expect these plans to be reviewed by the interagency National Domestic Preparedness Office (NDPO). The conferees direct that funds provided for general grants in fiscal year 2000 be expended only upon completion of, and in accordance with, such State-wide plans.

—**State and Local Bomb Technician Equipment.**—\$10,000,000 is provided for equipment grants for State and local bomb technicians. This amount, when combined with \$3,000,000 in prior year carryover, will provide a total of \$13,000,000 for this purpose in fiscal year 2000. The conferees note that State and local bomb technicians play an integral role in any response to a terrorist threat or incident, and as such should be integrated into a State's counterterrorism plan. The conferees request that the NDPO conduct an assessment of the assistance currently provided to State and local bomb technicians under this and other programs, the relationship of this program to other State and local first responders assistance programs, and the extent to which State and local bomb technician equipment needs have been integrated into, and addressed, as part of a State's overall counterterrorism plan. The NDPO should provide a report on its assessment to the Committees on Appropriations no later than February 1, 2000.

—**Training.**—\$37,000,000 is provided for training programs for State and local first responders, to be distributed as follows:

(1) \$27,000,000 is for the National Domestic Preparedness Consortium, of which \$13,000,000 is for the Center for Domestic Preparedness at Ft. McClellan, Alabama, including \$500,000 for management and administration of the Center; and \$14,000,000 is to be equally divided among the four other Consortium members;

(2) \$8,000,000 is for additional training programs to address emerging training needs not provided for by the Consortium or elsewhere. In distributing these funds, the conferees expect OJP to consider the needs of firefighters and emergency services personnel, and State and local law enforcement, as well as the need for State and local antiterrorism training and equipment sustainment training. The conferees encourage OJP to consider developing and strengthening its partnerships with the Department of Defense to provide training and technical assistance, such as those services offered by U.S. Army Dugway Proving Ground and the U.S. Army Pine Bluff Arsenal; and

(3) \$2,000,000 is provided for distance learning training programs at the National Terrorism Preparedness Institute at the Southeastern Public Safety Institute to train 11,000 students, particularly in medium and small communities, through advanced distributive learning technology and other mechanisms.

The conferees are aware that the Department of Justice has recently agreed to assume control of the Ft. McClellan facility from the Department of Defense in fiscal year 2000. In addition, the conferees are aware that discussions are occurring which could result in the transfer of ownership of the entire facility from the Department of Defense to the Department of Justice. Such actions will result in the Department of Justice assuming a significant additional financial burden to operate and maintain the facility which previously was not anticipated, and may impact OJP's ability to provide support for all training programs. While the conferees recognize the importance of the training provided at Ft. McClellan, a comprehensive assessment of DOJ's needs at the facility is warranted to ensure that such needs are met in the most cost-effective manner possible. The Attorney General is directed to conduct this assessment and provide a report to the Committees on Appropriations no later than February 1, 2000. Further, the Department is directed not to pursue or assume any other relationships which may result in the Department of Justice assuming facilities management responsibility or ownership of any other training facility, without prior consultation with the Committees.

The Senate report language regarding utilization of Consortium members is adopted by reference. In addition, the conferees encourage OJP to collaborate with the National Guard to make use of the National Guard Distance Learning Network to deliver training programs, thereby capitalizing on investments made by the Department of Defense to provide low cost training to first responders.

**Counterterrorism Research and Development.**—The conference agreement provides \$30,000,000 to the National Institute of Justice for research into the social and political causes and effects of terrorism and development of technologies to counter biological, nuclear and chemical weapons of mass destruction, as well as cyberterrorism through our automated information systems. These funds shall be equally divided between the Oklahoma City Memorial Institute for the Prevention of Terrorism and the Dartmouth Institute for Security Studies, and shall be administered by NIJ to ensure collaboration and coordination among the two institutes and NIJ, as well as with the National Domestic Preparedness Office and the Office of State and Local Domestic Preparedness Support. These institutes will also serve as national points of contact for antiterrorism information sharing among Federal, State and local preparedness agencies, as well as private and public organizations dealing with these issues. The conferees agree that such a collaborative approach is essential to production of a national research and technology development agenda and expect a status report by July 30, 2000.

The conference agreement includes language providing funding for counterterrorism programs in accordance with sections 819, 821, and 822 of the Antiterrorism and Effective Death Penalty Act of 1996, as proposed in the House bill. The conference agreement does not include language, proposed in the Senate bill, prohibiting the Bureau of Justice Assistance from providing funding to States that have failed to establish a comprehensive terrorism plan. The House bill did not include a similar provision.

**Management and Administration.**—The conference agreement includes \$37,456,000 for Management and Administration, instead of \$31,456,000 as proposed in the House, and \$43,456,000 as proposed in the Senate. Within the amount, \$2,000,000 is provided for

Counterterrorism program activities. In addition, reimbursable funding from Violent Crime Reduction Trust Fund programs, Community Oriented Policing Services, and a transfer from the Juvenile Justice account will be provided for the administration of grants under these activities. Total funding for the administration of grants assumed in the conference agreement is as follows:

	Amount	FTE
Direct appropriations .....	\$37,456,000	338
(Counterterrorism programs) .....	(2,000,000)	(16)
Transfer from Juvenile Justice programs .....	6,647,000	87
Reimbursement from VCRTF .....	56,288,000	434
Reimbursement from COPS .....	4,700,000	39
Total .....	\$105,091,000	898

The conferees commend OJP's restructuring report, submitted to the Committees during fiscal year 1999, and support the current comprehensive review undertaken by the authorizing committees. To further the goals of eliminating possible duplication and overlap among OJP's programs, improving responsiveness to State and local needs, and ensuring that appropriated funds are targeted in a planned, comprehensive and well-coordinated way, the conferees direct the Assistant Attorney General for OJP to submit a formal reorganization proposal no later than February 1, 2000, on the following limited items: the creation of a "one-stop" information center; the establishment of "state desks" for geographically-based grant administration; and the administration of grants by subject area.

The conference agreement includes \$2,000,000 for management and administration of Department of Justice counterterrorism programs. The conferees understand that the Department of Justice has submitted a reprogramming to establish an Office of State and Local Domestic Preparedness to administer these programs. The conferees have no objection to the establishment of this office.

The conference agreement does not include additional funding proposed in the Senate bill to enable the Department of Justice to begin to assume responsibility for counterterrorism assistance programs currently funded and administered by the Department of Defense. Such action could significantly impact ongoing Department of Justice programs, and absent careful consideration and study, may result in the duplication and inefficient use of limited resources to meet the needs of State and local first responders. Therefore, the conferees direct the Department of Justice, working through the National Domestic Preparedness Office, to review this matter and provide to the Committees on Appropriations no later than December 15, 1999, a comprehensive plan for the transition and integration of Department of Defense programs into ongoing Department of Justice and other Federal agency programs in the most efficient and cost-effective manner. The conferees expect the Department not to take any further actions to assume responsibility for these programs until such a review has been completed, and the Committees on Appropriations have been consulted. Upon completion of these actions, should additional funding be required by OJP, the Committees would be willing to entertain a reprogramming in accordance with section 605 of this Act.

#### STATE AND LOCAL LAW ENFORCEMENT ASSISTANCE

The conference agreement includes a total of \$2,828,950,000 for State and Local Law Enforcement Assistance, instead of \$2,822,950,000 as proposed in the House bill and \$1,959,550,000 as proposed in the Senate bill. Of this amount, the conference agree-

ment provides that \$1,194,450,000 shall be derived from the Violent Crime Reduction Trust Fund (VCRTF), instead of \$1,193,450,000 as proposed in the House bill and \$1,407,450,000 as proposed in the Senate bill.

The conference agreement provides for the following programs from direct appropriations and the VCRTF:

#### Direct Appropriation:

Local Law Enforcement Block Grant .....	\$523,000,000
Boys and Girls Clubs ...	(50,000,000)
Law Enforcement Technology .....	(20,000,000)
State Prison Grants .....	686,500,000
Cooperative Agreement Program .....	(25,000,000)
Indian Country .....	(34,000,000)
Alien Incarceration .....	(165,000,000)
State Criminal Alien Assistance Program .....	420,000,000
Indian Tribal Courts Program .....	5,000,000
Total, Direct Appropriations .....	1,634,500,000

#### Violent Crime Reduction Trust Fund:

Byrne Discretionary Grants .....	52,000,000
Byrne Formula Grants ...	500,000,000
Drug Courts .....	40,000,000
Juvenile Crime Block Grant .....	250,000,000
Violence Against Women Act Programs .....	283,750,000
State Prison Drug Treatment .....	63,000,000
Missing Alzheimer's Patients Program .....	900,000
Law Enforcement Family Support Programs .....	1,500,000
Motor Vehicle Theft Prevention .....	1,300,000
Senior Citizens Against Marketing Scams .....	2,000,000
Total, Violent Crime Reduction Trust Fund .....	1,194,450,000

**Local Law Enforcement Block Grant.**—The conference agreement includes \$523,000,000 for the Local Law Enforcement Block Grant program, as proposed in the House bill, instead of \$400,000,000, as proposed in the Senate bill, in order to continue the commitment to provide local governments with the resources and flexibility to address specific crime problems in their communities with their own solutions. Within the amount provided the conference agreement includes language providing \$50,000,000 of these funds to the Boys and Girls Clubs of America, with the increase to be used as described by the Senate. In addition, the conference agreement extends the set aside for law enforcement technology for which an authorization had expired, as proposed in both the House and Senate bills.

**State Prison Grants.**—The conference agreement includes \$686,500,000 for State Prison Grants as proposed by the House, instead of \$75,000,000 as proposed by the Senate. Of the amount provided, \$462,500,000 is available to States to build and expand prisons, \$165,000,000 is available to States for reimbursement of the cost of criminal aliens, \$25,000,000 is available for the Cooperative Agreement Program, and \$34,000,000 is available for construction of jails on Indian reservations, which does not include repair and maintenance costs for existing facilities. There is an awareness of the special needs of Circle of Nations, ND.

**State Criminal Alien Assistance Program.**—The conference agreement provides a total of \$585,000,000 for the State Criminal Alien As-

sistance Program for payment to the States for the costs of incarceration of criminal aliens, as proposed in the House bill, instead of \$100,000,000, as proposed in the Senate bill. Of the total amount, the conference agreement includes \$420,000,000 under this account for the State Criminal Alien Assistance Program and \$165,000,000 for this purpose under the State Prison Grants program, as proposed by the House bill, instead of \$100,000,000 for this program with no funds from the State Prison Grants program, as proposed by the Senate.

**Technology.**—The conference agreement includes \$250,000,000 in total funding for law enforcement technology, as follows: \$130,000,000 for a Crime Identification Technology Program under the Community Oriented Policing Services program heading but to be administered by OJP, which includes \$15,000,000 for use by NIJ for researching technology to make schools safe, \$35,000,000 for grants to upgrade criminal history records, \$30,000,000 for grants to states to reduce their DNA backlogs and for the Crime Laboratory Improvement Program (CLIP); \$20,000,000 within the Local Law Enforcement Block Grant program to NIJ for assisting local units to identify, select, develop, modernize and purchase new technologies for use by law enforcement under this heading; and \$100,000,000 for grants for law enforcement technology equipment under the Community Oriented Policing Services program heading.

**Indian Tribal Courts.**—The conference agreement includes \$5,000,000, as proposed in the Senate, which was not funded in the House bill, to assist tribal governments in the development, enhancement, and continuing operation of tribal judicial systems. These grants should be competitive, based upon the extent and urgency of the need of each applicant. OJP should report back to the Committees with its proposal as to how the program may be administered. The conferees note the special needs of the Wapka Sica Historical Society of South Dakota.

#### VIOLENT CRIME REDUCTION TRUST FUND PROGRAMS

**Edward Byrne Grants to States.**—The conference agreement provides \$552,000,000 for the Edward Byrne Memorial State and Local Law Enforcement Assistance Program, of which \$52,000,000 is discretionary and \$500,000,000 is provided for formula grants under this program.

**Byrne Discretionary Grants.**—The conference agreement provides \$52,000,000 for discretionary grants under Chapter A of the Edward Byrne Memorial State and Local Law Enforcement Assistance Program to be administered by Bureau of Justice Assistance (BJA), instead of \$52,100,000 as proposed in the Senate bill, and \$47,000,000 as proposed in the House bill. Within the amount provided for discretionary grants, the Bureau of Justice Assistance is expected to review the following proposals, provide a grant if warranted, and report to the Committees on Appropriations of the House and the Senate on its intentions:

—\$2,000,000 for the Alaska Native Justice Center;

—\$1,000,000 for the Ben Clark Public Safety Training program for law enforcement officers;

—\$100,000 for the Chattanooga Endeavors Program for ex-offenders;

—\$3,000,000 for a cultural and diversity awareness training program for law enforcement officers in New York, Los Angeles, Chicago, Houston, and Atlanta, to be divided equally;

—\$1,775,000 to continue the Drug Abuse Resistance Education (DARE America) program;

—\$2,250,000 to continue the Washington Metropolitan Area Drug Enforcement Task



Force and for expansion of the regional gang tracking system;

—\$550,000 for the Kane County Child Advocacy Center for additional personnel for the prosecution of child sexual assault cases;

—\$1,000,000 for a one-time grant to the Law Enforcement Innovation Center for law enforcement training;

—\$500,000 for the community security program of the Local Initiative Support Corporation;

—\$250,000 for the Long Island Anti-Gang Task Force;

—\$1,000,000 for Los Angeles County's Roll Out Teams Program for one-time funding for independent investigations of officer-involved shootings;

—\$1,000,000 for Los Angeles Police Department's Family Violence Response Teams for additional personnel to expand the existing pilot program;

—\$4,500,000 for the Executive Office of the U.S. Attorneys to support the National District Attorneys Association's participation in legal education training at the National Advocacy Center;

—\$3,000,000 for the National Center for Innovation at the University of Mississippi School of Law to sponsor research and produce judicial education seminars and training for court personnel in administering cases;

—\$4,300,000 for the National Crime Prevention Council to continue and expand the National Citizens Crime Prevention Campaign (McGruff);

—\$3,150,000 for the national motor vehicle title information system, authorized by the Anti-Car Theft Improvement Act for operating the system in the current States and to expand to additional States;

—\$1,250,000 for the National Neighborhood Crime and Drug Abuse Prevention Program;

—\$1,000,000 for the National Training and Information Center;

—\$1,000,000 for the Nevada National Judicial College;

—\$1,500,000 for the New Hampshire Operation Streetsweeper Program;

—\$800,000 for the Night Light Program in San Bernadino, CA;

—\$400,000 for the Western Missouri Public Safety Training Institute for public safety officers training;

—\$750,000 for Operation Child Haven;

—\$974,000 for the Utah State Olympic Public Safety Command to continue to develop and support a public safety master plan for the 2002 Winter Olympics;

—\$1,250,000 for Project Return in New Orleans, LA;

—\$1,000,000 for a Rural Crime Prevention and Prosecution program;

—\$1,500,000 for the SEARCH program;

—\$750,000 for the Tools for Tolerance program for a law enforcement training program; and

—\$3,500,000 for the Consolidated Advanced Technologies for the Law Enforcement Program at the University of New Hampshire and the New Hampshire Department of Safety.

Within the available resources for Byrne discretionary grants, BJA is urged to review proposals, and provide grants if warranted, and report to the Committees on Appropriations of the House and Senate on its intentions regarding: the Haymarket House; Oregon Partnership; and Westcare.

The conferees are aware that, on certain limited occasions, the Office of Justice Programs has provided or made grants to pay overtime costs for State and local law enforcement personnel. The conferees expect OJP to submit, no later than January 31, 2000, a report on (1) its current policy on paying State and local overtime costs, (2) the extraordinary circumstances that might

warrant a waiver of existing procedures, and (3) the process by which such a waiver could be granted.

**Byrne Formula Grants.**—The conference agreement provides \$500,000,000 for the Byrne Formula Grant program, as proposed in Senate bill, instead of \$505,000,000 as proposed in the House bill. The conference agreement includes language, as proposed in both bills, which makes drug testing programs an allowable use of grants provided to States under this program.

**Drug Courts.**—The conference agreement includes \$40,000,000 for the drug courts as proposed both in the Senate and House bills. The conferees note that localities may also obtain funding for drug courts under the Local Law Enforcement Block Grant and Juvenile Accountability Block Grant.

**Juvenile Accountability Block Grant.**—The conference agreement provides \$250,000,000 for a Juvenile Accountability Incentive Block Grant program to address the growing problem of juvenile crime, as proposed in the House bill and instead of the \$100,000,000 proposed in the Senate bill. The conference agreement includes language that continues by reference the terms and conditions for the administration of the Block Grants contained in the fiscal year 1999 appropriations bill, instead of listing those terms and conditions.

**Violence Against Women Grants.**—The conference agreement includes \$283,750,000 for grants to support the Violence Against Women Act, as proposed in the Senate bill, instead of \$282,750,000 as proposed in the House bill. Grants provided under this account are as follows:

General Grants .....	\$206,750,000
Civil Legal Assistance ....	(28,000,000)
National Institute of Justice .....	(5,200,000)
D.C. Superior Court Domestic Violence .....	(1,196,000)
OJJDP—Safe Start Program .....	(10,000,000)
Violence on College Campuses .....	(10,000,000)
Victims of Child Abuse Programs:	
Court-Appointed Special Advocates .....	10,000,000
Training for Judicial Personnel .....	2,000,000
Grants for Televised Testimony .....	1,000,000
Grants to Encourage Arrest Policies .....	34,000,000
Rural Domestic Violence ..	25,000,000
Training Programs .....	5,000,000
<b>Total .....</b>	<b>283,750,000</b>

Within the amount provided for General Grants, the conference agreement includes \$28,000,000 exclusively for the purpose of augmenting civil legal assistance programs to address domestic violence, \$5,200,000 for research and evaluation of domestic violence programs, \$1,196,000 for continued support of the enhanced domestic prosecution unit within the District of Columbia, as proposed in the House report, \$10,000,000 for continued support of the Safe Start program which provides direct intervention and treatment to youth who are victims, witnesses or perpetrators of violent crimes in order to attempt early treatment, and \$10,000,000 to combat violent crime against women on college campuses, the latter as proposed in the Senate report.

**State Prison Drug Treatment.**—The conference agreement includes \$63,000,000 for substance abuse treatment programs within State and local correctional facilities, as proposed in the House and Senate bills.

**Safe Return Program.**—The conference agreement includes \$900,000 as proposed by both the House and Senate bills.

**Law Enforcement Family Support.**—The conference agreement includes \$1,500,000 for law enforcement family support programs, as proposed in both the Senate and House bills.

**Senior Citizens Against Marketing Scams.**—The conference agreement includes \$2,000,000 for programs to assist law enforcement in preventing and stopping marketing scams against senior citizens, as proposed by both the House and Senate bills.

**Motor Vehicle Theft Prevention.**—The conference agreement includes \$1,300,000 for grants to combat motor vehicle theft as proposed by both the Senate and House bills.

#### WEED AND SEED PROGRAM

The conference agreement includes a direct appropriation of \$33,500,000 for the Weed and Seed program, as proposed by the House bill, instead of \$40,000,000 as proposed by the Senate bill. The conference agreement includes the expectation that \$6,500,000 will be made available from the Asset Forfeiture Super Surplus Fund.

#### COMMUNITY ORIENTED POLICING SERVICES

The conference agreement includes \$595,000,000 for the Community Oriented Policing Services (COPS) program, instead of \$325,000,000 as proposed in the Senate bill and \$268,000,000 as proposed in the House bill. Of this amount, \$45,000,000 is from the Violent Crime Reduction Trust Fund. This statement of managers reflects the conference agreement on how funds provided for all programs under the Community Oriented Policing Services program in this conference report are to be spent.

**Police Hiring Initiatives.**—Funds have been provided since fiscal year 1994 to support grants for the hiring of 100,000 police officers, a goal which the President announced had been met in May of 1999. The conference agreement includes \$537,500,000 for police hiring initiatives as follows: \$180,000,000 from direct appropriations for school resource officers; \$209,500,000 from direct appropriations for the universal hiring program (UHP); \$40,000,000 from unobligated carryover balances for hiring police officers for Indian Country; and \$108,000,000 from unobligated carryover balances from the fiscal year 1999 universal hiring program to continue to be used for the universal hiring program.

**Safe schools initiative (SSI).**—The conference agreement supports the concern expressed in the Senate and House reports regarding the level of violence in our children's schools as evidenced by the tragic events that have occurred around the Nation. In the past year, guns and explosives have been used by children against children and teachers more than ever before, leading many to believe this violence is "out of control." To address this issue, the conference agreement includes \$225,000,000 for the Safe Schools Initiative (SSI), including funds for technology development, prevention, community planning and school safety officers. Within this total, \$180,000,000 is from the COPS hiring program to provide school resource officers who will work in partnership with schools and other community-based entities to develop programs to improve the safety of elementary and secondary school children and educators in and around schools; \$15,000,000 is from the Juvenile Justice At-Risk Children's Program and \$15,000,000 is from the COPS program (\$30,000,000 total) for programs aimed at preventing violence in schools through partnerships with schools and community-based organizations; \$15,000,000 is provided from the Crime Identification Technology Program to NIJ to develop technologies to improve school safety. Special note is made of the need for additional school resource officers in King County, Washington.

**Indian Country.**—The conference agreement includes \$40,000,000 from unobligated

carryover balances to improve law enforcement capabilities on Indian lands, both for hiring uniformed officers and for the purchase of equipment and training for new and existing officers, as proposed by the Senate.

**Management and Administration.**—The conference agreement also includes a provision that provides that not to exceed \$29,825,000 shall be expended for management and administration of the program, instead of \$17,325,000 as proposed in the Senate bill, and \$25,500,000, as proposed in the House bill. A request for reprogramming or transfer of funds, pursuant to section 605 of this Act, would be entertained to increase this amount.

**Non-Hiring Initiatives.**—The conferees understand that the COPS program reached its goal of funding 100,000 officers in May of 1999. Having reached the original goals of the program, the conferees want to ensure there is adequate infrastructure for the new police officers, similar to the focus that has been provided Federal law enforcement over the past several years. The conferees believe this approach will enable police officers to work more efficiently, equipped with the protection, tools, and technology they need: to address crime in and around schools, provide law enforcement technology for local law enforcement, combat the emergence of methamphetamine in new areas and provide policing of "hot spots" of drug market activity, and provide bullet proof and stab proof vests for local law enforcement officers and correctional officers.

Specifically, the conferees direct the program to use \$335,675,000, to be made available from a combination of \$170,000,000 from unobligated carryover balances and the \$165,675,000 from direct appropriations in this Act for COPS, to fund initiatives that will result in more effective policing. The conferees believe that these funds should be used to address these critical law enforcement requirements and direct the program to establish the following non-hiring grant programs:

**1. COPS Technology Program.**—The conference agreement includes the direction of \$100,000,000 to be used for continued development of technologies and automated systems to assist State and local law enforcement agencies in investigating, responding to and preventing crime. In particular, there is recognition of the importance of the sharing of criminal information and intelligence between State and local law enforcement to address multi-jurisdictional crimes.

Within the amounts made available under this program, the conference agreement includes the expectation that the COPS office will award grants for the following technology proposals:

—\$1,450,000 for a grant for the Access to Court Electronic Data for Criminal Justice Agencies project;

—\$1,000,000 for a grant for Alameda County, CA, for a voice communications system;

—\$1,000,000 for a grant to the Greater Atlanta Data Center for law enforcement training technology for a multi-jurisdictional area;

—\$350,000 for a grant to Birmingham, AL, for a Mobile Emergency Communication System;

—\$60,000 for a grant to the Bolivar City Sheriff's Office (MS) for public safety equipment;

—up to \$7,000,000 for the acquisition or lease and installation of dashboard mounted cameras for State and local law enforcement on patrol;

—\$1,000,000 for a grant to Clackamas County, OR, for police communications equipment;

—\$100,000 for a grant to Charles Mix County, SD, for Emergency 911 Service;

—\$1,000,000 for a grant to the City of Fairbanks, AK, for a police radio and telecommunications system;

—\$90,000 for a grant to the Fairbanks, AK, police for thermal imaging goggles;

—\$430,000 for a grant to Greenwood County, SC, for technology upgrades;

—\$1,000,000 for a grant for Hampton Roads, VA, for regional law enforcement technology;

—\$100,000 for a grant for technology upgrades for the Harrison, NY, police department;

—\$1,588,000 for a grant to Henderson, NV, for mobile data computers for law enforcement;

—\$3,000,000 for a grant for video-conferencing equipment necessary to assist State and local law enforcement in contacting the Immigration and Naturalization Service to allow them to confirm the identification of illegal and criminal aliens in their custody;

—\$1,333,000 for a grant to the city of Jackson, MS, for public safety and automated system technologies;

—\$1,000,000 for Jefferson County, KY, for mobile data terminals for law enforcement;

—\$400,000 for a grant to the Kauai, HI, County Police Department to enhance the emergency communications systems;

—\$1,700,000 for a grant for the Kentucky Justice Cabinet for equipment to implement a sexual offender registration and community notification information system;

—\$1,500,000 to the Law Enforcement On-Line Program;

—\$100,000 for a grant for Lexington-Fayette, KY, law enforcement communications equipment;

—\$200,000 for a grant for the Logan Mobile Data System;

—\$2,300,000 for a grant to Los Angeles County for equipment relating to the criminal alien demonstration project;

—\$3,000,000 for a grant to the Low Country, SC, Tri-County Police initiative to establish a regional law enforcement computer network;

—\$112,000 for a grant to Lowell, MA, for police communications equipment;

—\$150,000 for a grant to Martin County, KY, for technology for a public safety training program;

—\$400,000 for a grant to the Maui County, HI, police department to enhance the emergency communications systems;

—\$100,000 for a grant to Mineral County, NV, to upgrade technology;

—\$2,500,000 for a grant to the Missouri State Court Administration for the Juvenile Justice Information System to enhance communication and collaboration between juvenile courts, law enforcement, schools, and other agencies;

—\$425,000 for the Montana Juvenile Justice video-conferencing equipment;

—\$5,000,000 to the National Center for Missing and Exploited Children to create a program that would provide targeted technology to police departments for the specific purpose of child victimization prevention and response;

—\$800,000 for a grant to the National Center for Victims of Crime—INFOLINK;

—\$1,500,000 for a grant to expand the demonstration program enabling local law enforcement officers to field-test a portable hand-held digital fingerprint and photo device which would be compatible with NCIC 2000;

—\$28,000 for a grant to Nenana, AK, for mobile video and communications equipment;

—\$60,000 for a grant to the New Rochelle, NY, Harbor Police Department for technology;

—\$5,000,000 for a grant for the North Carolina Criminal Justice Information (CJIS-J-NET) for the final year of funding of the

comprehensive integrated criminal information system, as described in the House report;

—\$500,000 for a grant to the New Jersey State police for computers and equipment for a truck safety initiative;

—\$107,000 for public safety and automated system technologies for Ocean Springs, MS;

—\$2,500,000 for a grant for Project Hoosier SAFE-T;

—\$150,000 for a grant to Pulaski County, KY, for technology for a public safety training program;

—\$390,000 for a grant to Racine County, WI, for a countywide integrated computer aided dispatch management system and mobile data computer system;

—\$5,000,000 for a grant to the Regional Information Sharing System (RISS) for RISS Secure Intranet to increase the ability of law enforcement member agencies to share and retrieve criminal intelligence information on a real-time basis;

—\$200,000 for a grant to Riverside, CA, for law enforcement computer upgrades;

—\$1,500,000 for a grant to Rock County, WI, for a law enforcement consortium;

—\$550,000 for a grant to the Santa Monica, CA, police department for an automated Mobile Field Reporting System;

—\$2,000,000 for a grant to the Seattle, WA, police department for forensic imaging equipment and computer upgrades;

—\$800,000 for a one-time grant to the SECURE gunshot detection demonstration project for Austin, TX;

—\$2,000,000 for a grant to the South Dakota Training Center for technology upgrades;

—\$7,000,000 for a grant for the South Dakota Bureau of Information and Telecommunications to enhance their emergency communication system;

—\$9,000,000 for a grant for the continuation of the Southwest Border States Anti-Drug Information System, which will provide for the purchase and deployment of the technology network between all State and local law enforcement agencies in the four southwest border States;

—\$5,000,000 for the Utah Communications Agency Network (UCAN) for enhancements and upgrades of security and communications infrastructure relating to the 2002 Winter Olympics;

—\$350,000 for the Union County, SC, Sheriff's Office for technology upgrades;

—\$1,000,000 for Ventura County, CA, for an integrated justice system;

—\$200,000 to the Vermont Department of Public Safety for a mobile command center;

—\$4,000,000 to the Vermont Public Safety Communications Program;

—\$1,000,000 to the St. Johnsbury, Rutland, and Burlington, VT, technology programs;

—\$3,000,000 to the New Hampshire State Police VHF trunked digital radio system;

—\$1,200,000 to Yellowstone County, MT, for Mobile Data Systems; and

—\$650,000 to Yellowstone County, MT, Driving Simulator for law enforcement training equipment.

**2. Crime Identification Technology Program.**—The conference agreement includes \$130,000,000 for crime identification technology, instead of \$260,000,000 as proposed in the Senate bill under the State and Local Law Enforcement Assistance heading, and \$60,000,000, as proposed in the House bill, which proposed funding technology only in the Community Oriented Policing Services program, to be used and distributed pursuant to the Crime Identification Technology Act of 1998, P.L. 105-251. Under that Act, eligible uses of the funds are (1) upgrading criminal history and criminal justice record systems; (2) improvement of criminal justice identification, including fingerprint-based systems; (3) promoting compatibility and integration of national, State, and local systems

for criminal justice purposes, firearms eligibility determinations, identification of sexual offenders, identification of domestic violence offenders, and background checks for other authorized purposes; (4) capture of information for statistical and research purposes; (5) developing multi-jurisdictional, multi-agency communications systems; and (6) improvement of capabilities of forensic sciences, including DNA. Within the amount provided, the OJP is directed to provide grants to the following, and report to the Committees on Appropriations of the House and the Senate: \$7,500,000 for a grant to Kentucky for a state-wide law enforcement technology program; and \$7,500,000 for a grant for the Southwest Alabama Department of Justice's initiative to integrate data from various criminal justice agencies to meet Southwest Alabama's public safety needs.

**Safe Schools Technology.**—Within the amounts available for crime identification technology under this account, the conference agreement includes \$15,000,000 for Safe Schools technology to continue funding NIJ's development of new, more effective safety technologies such as less obtrusive weapons detection and surveillance equipment and information systems that provide communities quick access to information they need to identify potentially violent youth, as described in the Senate report.

**Upgrade Criminal History Records (Brady Act).**—Within the amounts available for crime identification technology under this account, the conference agreement provides \$35,000,000, instead of \$40,000,000 as proposed by the Senate and as an authorized use of funds from within the Crime Identification Technology Act formula grant program funded in the Community Oriented Policing Services program as proposed by the House. The House report did not designate a specific dollar amount.

**DNA Backlog Grants/Crime Laboratory Improvement Program (CLIP).**—Within the amounts available for crime identification technology under this account, the conference agreement includes \$30,000,000 for grants to States to reduce their DNA backlogs and for the Crime Laboratory Improvement Program (CLIP), as proposed by the Senate bill. The House provided funds for these programs through the Crime Identification Technology Act formula grant program funded in the Community Oriented Policing Services program. Within the amount made available under this program, it is expected that the OJP will review proposals, provide grants if warranted, and report to the Committees on its intentions regarding: a \$2,000,000 grant to the Marshall University Forensic Science Program; a \$3,000,000 grant to the West Virginia University Forensic Identification Program; \$1,200,000 to the South Carolina Law Enforcement Division's forensic laboratory; a \$500,000 grant to the Southeast Missouri Crime Laboratory; a \$661,000 grant to the Wisconsin Laboratory to upgrade DNA technology and training; \$1,250,000 for Alaska's crime identification program; and \$1,900,000 to the National Forensic Science Technology Center, as described in the House report.

**3. COPS Methamphetamine/Drug "Hot Spots" Program.**—The conferees direct that \$35,875,000 from direct appropriations be used for State and local law enforcement programs to combat methamphetamine production, distribution, and use, and to reimburse the Drug Enforcement Administration for assistance to State and local law enforcement for proper removal and disposal of hazardous materials at clandestine methamphetamine labs. The monies may also be used for policing initiatives in "hot spots" of drug market activity. The House bill proposed \$35,000,000 and the Senate proposed \$25,000,000 for this purpose.

Within the amount included for the Methamphetamine/Drug Hot Spots Program, the conference agreement expects the COPS office to award grants for the following programs:

—\$1,000,000 to the Arizona Methamphetamine program to support additional law enforcement officers and to train local and State law enforcement officers on the proper recognition, collection, removal, and destruction of methamphetamine;

—\$18,200,000 to continue the California Bureau of Narcotics Enforcement's Methamphetamine Strategy to support additional law enforcement officers, intelligence gathering and forensic capabilities, training and community outreach programs;

—\$50,000 to the Grass Valley, NV, Methamphetamine initiative to support additional law enforcement officers and to train local and State law enforcement officers on the proper recognition, collection, removal, and destruction of methamphetamine;

—\$500,000 to the Illinois State Police to combat methamphetamine and to train officers in methamphetamine investigations;

—\$1,200,000 to the Iowa Methamphetamine Law Enforcement initiative to support additional law enforcement officers and to train local and State law enforcement officers on the proper recognition, collection, removal, and destruction of methamphetamine;

—\$750,000 to the Las Vegas Special Police Enforcement and Eradication Program of which \$450,000 is for the Las Vegas Police Department and \$300,000 is for the North Las Vegas Police Department to support additional law enforcement officers and to train local and State law enforcement officers on the proper recognition, collection, removal, and destruction of methamphetamine;

—\$6,000,000 to the Midwest Methamphetamine initiative (MO) to support additional law enforcement officers and to train local and State law enforcement officers on the proper recognition, collection, removal, and destruction of methamphetamine;

—\$525,000 to Nebraska's Clandestine Laboratory team to support additional law enforcement officers and to train local and State law enforcement officers on the proper recognition, collection, removal, and destruction of methamphetamine;

—\$750,000 to the New Mexico methamphetamine program for additional law enforcement officers, intelligence gathering and forensic capabilities, training and community outreach programs;

—\$1,000,000 to the Northern Utah Methamphetamine Program for additional law enforcement officers and to train local and State law enforcement officers on the proper recognition, collection, removal, and destruction of methamphetamine;

—\$1,000,000 to the Rocky Mountain Methamphetamine Program for additional law enforcement officers and to train local and State law enforcement officers on the proper recognition, collection, removal, and destruction of methamphetamine;

—\$1,000,000 to the Tennessee Methamphetamine Program for additional law enforcement officers and to train local and State law enforcement officers on the proper recognition, collection, removal, and destruction of methamphetamine;

—\$1,200,000 to the Tri-State Methamphetamine Training (IA/SD/NE) program to train officers from rural areas on methamphetamine interdiction, cover operations, intelligence gathering, locating clandestine laboratories, case development, and prosecution;

—\$1,000,000 to form a Western Kentucky Methamphetamine training program and to provide equipment and manpower to form inter-departmental task forces; and

—\$1,000,000 for the Western Wisconsin Methamphetamine Initiative for additional

law enforcement officers and to train local and State law enforcement officers on the proper recognition, collection, removal, and destruction of methamphetamine.

The conference agreement expects the OJP to review a request from the Polk County, FL, Sheriff's office to provide additional capabilities to expand the methamphetamine program and provide a grant, if warranted.

**4. COPS Safe Schools Initiative (SSI)/School Prevention Initiatives.**—The conferees direct that \$15,000,000 of unobligated carryover balances be used to provide grants to policing agencies and schools to provide resources for programs aimed at preventing violence in public schools, and to support the assignment of officers to work in collaboration with schools and community-based organizations to address crime and disorder problems, gangs, and drug activities, as proposed in the House report. Within the overall amounts recommended for this program, the conference agreement includes the expectation that the COPS office will examine each of the following proposals, provide grants if warranted, and submit a report to the Committees on its intentions for each proposal:

—\$250,000 for the Alaska Community in School Mentoring program;

—\$500,000 for a grant to the Home Run Program to assist elementary and secondary schools with children beginning to engage in delinquent behavior;

—\$300,000 for the Links to Community Demonstration Project;

—\$3,000,000 for a grant to the Miami-Dade Juvenile Assessment Center for a safe school demonstration project;

—\$541,000 for a grant to the Milwaukee schools' Summer Stars program;

—\$2,000,000 for a grant to the National Center for Rural Law Enforcement for school violence research;

—\$5,000,000 for training by the National Center for Missing and Exploited Children for law enforcement officers selected to be part of the Safe Schools Initiative;

—\$1,000,000 to the School Crime Prevention and Security Technology Center;

—\$500,000 for a grant to the University of Kentucky for research on school violence prevention;

—\$200,000 for the evaluation of the Vermont SAFE-T program and Colchester Community Youth Project;

—\$500,000 for the Youth Advocacy Program in South Carolina;

—\$500,000 for the Youth Outreach program.

Within the amounts made available under this program, the conferees expect the COPS office to examine each of the following proposals, to provide grants if warranted, and to submit a report to the Committees on its intentions for each proposal: the "Free to Grow" program at Columbia University, and the Tuscaloosa Youth Violence Project.

**5. COPS Bullet-proof vests initiative.**—The conferees direct that \$25,000,000 of unobligated carryover balances be used to provide State and local law enforcement officers with bullet-proof vests, the second year of the program, in accordance with Public Law 105-181.

**6. Police Corps.**—The conferees direct that \$30,000,000 of unobligated carryover balances in the COPS program be used for Police Corps instead of the \$25,000,000 proposed in the House bill. The Senate bill proposed \$30,000,000 within the Local Law Enforcement Block Grant. The conference agreement includes funding for an annual data collection and reporting program on excessive force by law enforcement officers, pursuant to Subtitle D of Title XXI of the Violent Crime Control and Law Enforcement Act of 1994, as has been previously funded within the unobligated balances of this program. The conference agreement includes

continued funding for this data collection in the same manner.

#### JUVENILE JUSTICE PROGRAMS

The conference agreement includes \$287,097,000 for Juvenile Justice programs, instead of \$286,597,000 as proposed in the House bill and \$322,597,000 as proposed in the Senate bill. The conference agreement includes the understanding that changes to Juvenile Justice and Delinquency Prevention Programs are being considered in the reauthorization process of the Juvenile Justice and Delinquency Act of 1974. However, absent completion of this reauthorization process, the conference agreement provides funding consistent with the current Juvenile Justice and Delinquency Prevention Act. In addition, the conference agreement includes language that provides that funding for these programs shall be subject to the provisions of any subsequent authorization legislation that is enacted. The agreement includes a comprehensive mental health study of juveniles in the criminal justice system, as described in the House report.

*Juvenile Justice and Delinquency Prevention.*—Of the total amount provided, \$269,097,000 is for grants and administrative expenses for Juvenile Justice and Delinquency Prevention programs including:

1. \$6,847,000 for the Office of Juvenile Justice and Delinquency Prevention (OJJDP) (Part A).

2. \$89,000,000 for Formula Grants for assistance to State and local programs (Part B).

3. \$42,750,000 for Discretionary Grants for National Programs and Special Emphasis Programs (Part C).

Within the amount provided for Part C discretionary grants, OJJDP is directed to review the following proposals, provide grants if warranted, and submit a report to the Committees on Appropriations of the House and the Senate on its intentions regarding:

—\$500,000 to continue the Achievable Dream after school program;

—\$50,000 for Catholic Charities, Inc. in Louisville, KY, for an after school program;

—\$1,500,000 for the Center on Crimes/Violence Against Children;

—\$250,000 for the Culinary Arts for At-Risk Youth in Miami-Dade, FL;

—\$5,000,000 for the Innovative Partnerships for High Risk Youth;

—\$650,000 for the Juvenile Justice Tribal Collaboration and Technical assistance;

—\$600,000 for the Kids With A Promise program;

—\$2,000,000 to continue the L.A. Best youth program;

—\$500,000 for the L.A. Dads/Family programs;

—\$500,000 to continue the L.A. Bridges after school program;

—\$550,000 for Lincoln Action Programs—Youth Violence Alternative Project;

—\$250,000 to continue the Low Country Children's Center program;

—\$350,000 for Mecklenburg County's Domestic Violence HERO program;

—\$1,500,000 for the Milwaukee Safe and Sound program;

—\$3,000,000 for the Mount Hope Center for a youth program;

—\$310,000 for the National Association of State Fire Marshals—Juvenile Firesetters initiative;

—\$3,000,000 to continue funding for the National Council of Juvenile and Family Courts which provides continuing legal education in family and juvenile law;

—\$1,900,000 for continued support for law-related education;

—\$300,000 for the No Workshops . . . No Jump Shots program;

—\$150,000 for the Operation Quality Time program;

—\$3,000,000 for Parents Anonymous, to develop partnerships with local communities to build and support strong, safe families and to help break the cycle of abuse and delinquency;

—\$750,000 for the Rio Arriba County, NM, after school program;

—\$1,300,000 for the Suffolk University Center for Juvenile Justice;

—\$1,000,000 for the University of Missouri—Kansas City Juvenile Justice Research Center for research;

—\$150,000 for the United Neighborhoods of Northern Virginia youth program;

—\$1,000,000 for the University of Montana to create a juvenile after-school program;

—\$200,000 for the Vermont Association of Court Diversion programs to help prevent and treat teen alcohol abuse;

—\$1,000,000 for the Youth Crime Watch Initiative of Florida; and

—\$5,000,000 for the Youth Challenge Program.

In addition, OJJDP is directed to examine each of the following proposals, provide grants if warranted, and report to the Committees on Appropriations of both the House and Senate on its intentions for each proposal: the At Risk Youth Program in Wausau, Wisconsin; the Consortium on Children, Families, and the Law; the Hawaii Lawyers Care Na Keiki Law Center; for a juvenile justice program in Kansas City, MO; the Learning for Life program conducted by the Boy Scouts; the New Mexico Cooperative Extension Service 4-H Youth Development Program; OASIS; the Oklahoma State Transition and Reintegration Services (STARS); the Rapid Response Program, Washington/Hancock County, ME; the St. Louis City Regional Violence Prevention Initiative; and the University of South Alabama's Youth Violence Program.

4. \$12,000,000 to expand the Youth Gangs (Part D) program which provides grants to public and private nonprofit organizations to prevent and reduce the participation of at-risk youth in the activities of gangs that commit crimes. Within the amount provided, OJJDP is directed to provide a grant of \$50,000 for the Metro Denver Gang Coalition.

5. \$10,000,000 for Discretionary Grants for State Challenge Activities (Part E) to increase the amount of a State's formula grant by up to 10 percent, if that State agrees to undertake some or all of the ten challenge activities designed to improve various aspects of a State's juvenile justice and delinquency prevention program.

6. \$13,500,000 for the Juvenile Mentoring Program (Part G) to reduce juvenile delinquency, improve academic performance, and reduce the drop-out rate among at-risk youth through the use of mentors by bringing together young people in high crime areas with law enforcement officers and other responsible adults who are willing to serve as long-term mentors. In addition, OJJDP is directed to examine each of the following proposals, provide grants if warranted, and report to the Committees on Appropriations of both the House and Senate on its intentions for each proposal: a grant in an amount greater than the current year level for the Big Brothers/Big Sisters of America program; \$1,000,000 for a grant to Utah State University for a pilot mentoring program that focuses on the entire family; and \$1,000,000 for a grant to the Tom Osborne mentoring program.

7. \$95,000,000 for Incentive Grants for Local Delinquency Prevention Programs (Title V), to units of general local government for delinquency prevention programs and other activities for at-risk youth. The Title V program provides funding on a formula basis to States, to be distributed by the States for use by local units of government and locally-

based public and private agencies and organizations. Administration of these funds on a formula basis ensures fairness in the distribution process.

*Safe Schools Initiative (SSI).*—The conference agreement includes \$15,000,000 within the Title V grants for the Safe Schools Initiative as proposed in the Senate report. In addition, OJJDP is directed to examine each of the following proposals, provide grants if warranted, and report to the Committees on Appropriations of both the House and Senate on its intentions for each proposal: \$2,500,000 for a grant to the Hamilton Fish National Institute on School and Community Violence; \$500,000 for a grant to the University of Louisville for research; \$1,250,000 for the Teens, Crime, and the Community Program; and a grant to the "I Have a Dream" Foundation for an at-risk youth program.

*Tribal Youth Program.*—The conference agreement includes \$12,500,000 within the Title V grants for programs to reduce, control and prevent crime, as proposed in the Senate report.

*Enforcing the Underage Drinking Laws Program.*—The conference agreement includes \$25,000,000 within the Title V grants for programs to assist States in enforcing underage drinking laws, as proposed in the Senate report. Projects funded may include: Statewide task forces of State and local law enforcement and prosecutorial agencies to target establishments suspected of a pattern of violations of State laws governing the sale and consumption of alcohol by minors; public advertising programs to educate establishments about statutory prohibitions and sanctions; and innovative programs to prevent and combat underage drinking. In addition, OJJDP is directed to examine the following proposal, provide a grant if warranted, and report to the Committees on Appropriations of both the House and Senate on its intentions for the proposal: \$1,000,000 for a grant to the Sam Houston State University and Mothers Against Drunk Driving for a National Institute for Victims Studies project.

*Drug Prevention Program.*—While crime is on the decline in certain parts of America, a dangerous precursor to crime, namely teenage drug use, is on the rise and may soon reach a 20-year high. The conference agreement includes \$11,000,000, instead of \$12,000,000 as proposed in the House bill, and no funds proposed in the Senate report, to develop, demonstrate and test programs to increase the perception among children and youth that drug use is risky, harmful, or unattractive.

*Victims of Child Abuse Act.*—The conference agreement includes \$7,000,000 for the programs authorized under the Victims of Child Abuse Act (VOCA), as proposed in the House bill. The agreement includes \$7,000,000 to Improve Investigations and Prosecutions (Sub-title A) as follows:

—\$1,000,000 to establish Regional Children's Advocacy Centers, as authorized by section 213 of VOCA;

—\$4,000,000 to establish local Children's Advocacy Centers, as authorized by section 214 of VOCA;

—\$1,500,000 for a continuation grant to the National Center for Prosecution of Child Abuse for specialized technical assistance and training programs to improve the prosecution of child abuse cases, as authorized by section 214a of VOCA; and

—\$500,000 for a continuation grant to the National Network of Child Advocacy Centers for technical assistance and training, as authorized by section 214a of VOCA.

#### PUBLIC SAFETY OFFICERS BENEFITS

The conference agreement includes \$32,541,000, as proposed by the House, instead

of \$36,041,000, as proposed by the Senate, in direct appropriations and assumes \$2,261,071 in unobligated carryover balances which will fully fund anticipated payments.

In addition, the conference agreement assumes \$2,339,000 in fiscal year 1999 unobligated carryover balances to pay for higher education for dependents of Federal, State and local public safety officers who are killed or permanently disabled in the line of duty.

#### GENERAL PROVISIONS—DEPARTMENT OF JUSTICE

The conference agreement includes the following general provisions for the Department of Justice:

*Section 101.*—The conference agreement includes section 101, identical in both the House and Senate bills, which makes up to \$45,000 of the funds appropriated to the Department of Justice available for reception and representation expenses.

*Sec. 102.*—The conference agreement includes section 102, as proposed in the House bill, which continues certain authorities for the Department of Justice in fiscal year 2000 that were contained in the Department of Justice Appropriation Authorization Act, fiscal year 1980. The Senate bill did not contain a provision on this matter.

*Sec. 103.*—The conference agreement includes section 103, identical in both the House and Senate bills, which prohibits the use of funds to perform abortions in the Federal Prison System.

*Sec. 104.*—The conference agreement includes section 104, identical in both the House and Senate bills, which prohibits the use of funds to require any person to perform, or facilitate the performance of, an abortion.

*Sec. 105.*—The conference agreement includes section 105, identical in both the House and Senate bills, which states that nothing in the previous section removes the obligation of the Director of the Bureau of Prisons to provide escort services to female inmates who seek to obtain abortions outside a Federal facility.

*Sec. 106.*—The conference agreement includes section 106, identical in both the House and Senate bills, which allows the Department of Justice to spend up to \$10,000,000 for rewards for information regarding acts of terrorism against a United States person or property at levels not to exceed \$2,000,000 per reward.

*Sec. 107.*—The conference agreement includes section 107, as proposed in the House bill, which continues the current 5% and 10% limitations on transfers among Department of Justice accounts, instead of limitations of 10% and 20%, respectively, as proposed in the Senate bill.

*Sec. 108.*—Modified language is included in the bill which establishes an effective date of August 1, 2000 for additional changes to authority of the Assistant Attorney General for the Office of Justice Programs. This language has been included so additional time is available to consider other elements of the comprehensive restructuring report for the Office of Justice Programs, as submitted by the Administration to the Committees on Appropriations on March 10, 1999.

*Sec. 109.*—The conference agreement includes section 109, as proposed in the House bill, which allows the Attorney General to waive certain Federal acquisition rules and regulations in certain instances related to counterterrorism and national security, and which prohibits the disclosure of financial records and identifying information of any corrections officer in an action brought by a prisoner. The Senate bill contained similar provisions as sections 109 and 110.

*Sec. 110.*—The conference agreement includes section 110, as proposed in the House

bill, which continues a provision carried in the fiscal year 1999 Act regarding the payment of judgments under the Financial Institutions Reform, Recovery and Enforcement Act. The Senate bill contained a similar provision as section 111.

*Sec. 111.*—The conference agreement includes section 111, proposed as section 112 in the House bill, regarding the Chief Financial Officer of the Department of Justice. The Senate bill did not contain a provision on this matter.

*Sec. 112.*—The conference agreement includes section 112, proposed as section 114 in the House bill, which extends section 3024 of Public Law 106-31 to allow assistance and services to be provided to the families of the victims of Pan Am Flight 103. The Senate bill did not contain a provision on this matter.

*Sec. 113.*—The conference agreement includes section 113, proposed as section 115 in the House bill, which changes the filing fees for certain bankruptcy proceedings. The Senate bill did not contain a provision on this matter.

*Sec. 114.*—The conference agreement includes section 114, modified from language proposed as section 113 in the Senate bill, which prohibits the payment for certain services by the Marshals Service and the Immigration and Naturalization Service at a rate in excess of amounts charged for such services under the Medicare or Medicaid programs. The House bill addressed this matter in section 113.

*Sec. 115.*—The conference agreement includes section 115, modified from language proposed in the Senate bill, which prohibits funds in this Act from being used to pay premium pay to an individual employed as an attorney by the Department of Justice for any work performed in fiscal year 2000. The House bill did not include a provision on this matter.

*Sec. 116.*—The conference agreement includes section 116, proposed as section 117 in the Senate bill, which makes permanent a provision included in the fiscal year 1999 Act, and amended by Public Law 106-31, to clarify the term "tribal" for the purpose of making grant awards under title I of this Act. The House bill did not include a provision on this matter.

*Sec. 117.*—The conference agreement includes section 117, modified from language proposed as section 119 in the Senate bill, which provides a procedure to grant national interest waivers to physicians if they have served an aggregate of five years and will continue to serve in areas designated as medically underserved or at facilities under the jurisdiction of the Secretary of Veterans Affairs. This provision essentially restores the situation that existed for alien physicians prior to the Immigration and Naturalization Service decision in *New York State Department of Transportation*, and those physicians who filed prior to November 1, 1998, shall be granted a national interest waiver if they agree to serve three years in medically underserved areas or at facilities under the jurisdiction of the Secretary of Veterans Affairs. The House bill did not include a provision on this matter.

*Sec. 118.*—The conference agreement includes section 118, proposed as section 121 in the Senate bill, which permanently authorizes the land border inspection fee account. The House bill did not include a provision on this matter.

*Sec. 119.*—The conference agreement includes a new provision, section 119, to extend the authorities included in the fiscal year 1998 Act which authorized funds to be provided for the U.S. Attorneys victim witness coordinator and advocate program from the Crime Victims Fund. The conferees expect

\$6,838,000 will be used under this provision to continue to support the 93 victim witness coordinators and advocates who are assigned to various U.S. Attorneys offices, including victim support for the D.C. Superior Court, and \$7,552,000 will be used to provide funding for the U.S. Attorneys to support the 77 victim witness workyears from pre-1998 allocations. The conferees expect that appropriate sums will be made available under this provision in succeeding fiscal years to continue this program at the current level.

*Sec. 120.*—The conference agreement includes a new provision, section 120, which authorizes the collection and analysis of DNA samples voluntarily contributed from the relatives of missing persons.

*Sec. 121.*—The conference agreement includes a new provision, section 121, which changes the entity to which electronic communication service providers report instances of child pornography.

#### TITLE II—DEPARTMENT OF COMMERCE AND RELATED AGENCIES TRADE AND INFRASTRUCTURE DEVELOPMENT RELATED AGENCIES OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE SALARIES AND EXPENSES

The conference agreement includes \$25,635,000 for the salaries and expenses of the Office of the United States Trade Representative, instead of \$25,205,000 as proposed in the House bill, and \$26,067,000 as proposed in the Senate bill.

The increase over the fiscal year 1999 appropriation provides for adjustments to base operations to maintain the current level of operations, and program increases requested for Washington-based security, travel, and translation services. The conferees concur with language in the House report related to the upcoming World Trade Organization Ministerial Meeting.

#### INTERNATIONAL TRADE COMMISSION SALARIES AND EXPENSES

The conference agreement includes \$44,495,000 and \$2,500,000 in carryover for the salaries and expenses of the International Trade Commission (ITC) as proposed in the House bill, instead of \$45,700,000 as proposed in the Senate bill. The recommended funding will allow the ITC to operate at a level very close to the amount of the budget request, and permit the Commission to carry out planned activities.

#### DEPARTMENT OF COMMERCE INTERNATIONAL TRADE ADMINISTRATION OPERATIONS AND ADMINISTRATION

The conference agreement includes \$311,503,000 in new budgetary resources for the operations and administration of the International Trade Administration for fiscal year 2000, of which \$3,000,000 is derived from fee collections, instead of \$298,236,000 as proposed by the House bill, and \$311,344,000 as proposed by the Senate bill. In addition to this amount, the conference agreement assumes \$2,000,000 in prior year carryover, resulting in a total fiscal year 2000 availability of \$313,503,000.

The following table reflects the distribution of funds by activity included in the conference agreement:

Trade Development .....	\$62,376,000
Market Access and Compliance .....	19,755,000
Import Administration .....	32,473,000
U.S. & F.C.S. ....	186,693,000
Executive Direction and Administration .....	12,206,000
Fee Collections .....	(3,000,000)
Prior Year Carryover .....	(2,000,000)
<b>Total, ITA .....</b>	<b>308,503,000</b>

**Trade Development (TD).**—The conference agreement provides \$62,376,000 for this activity. Of the amounts provided, \$49,621,000 is for the TD base program, \$9,000,000 is for the National Textile Consortium, and \$3,000,000 is provided for the Textile/Clothing Technology Corporation. Further, the conference agreement includes \$255,000 for the Access Mexico program and \$500,000 for continuation of the international global competitiveness initiative recommended in the House report.

**Market Access and Compliance (MAC).**—The conference agreement includes a total of \$19,755,000 for this activity. Of the amounts provided, \$18,755,000 is for the base program, \$500,000 is for the strike force teams initiative proposed in the budget, and \$500,000 is for the trade enforcement and compliance initiative proposed in the budget.

**Import Administration.**—The conference agreement provides \$32,473,000 for the Import Administration.

**U.S. and Foreign Commercial Service (U.S. & FCS).**—The conference agreement includes \$186,693,000 for the programs of the U.S. & FCS, to maintain the current level of operations. The conferees concur with language in the House report concerning the Rural Export Initiative and the Global Diversity Initiative.

**Executive Direction and Administration.**—The conference agreement includes \$12,206,000 for the administrative and policy functions of the ITA. This amount does not include funding requested for transfer to centralized services.

ITA should also follow the direction included in the House report regarding trade missions, and the direction in the Senate report relating to the Hannover World Fair. ITA is also expected to follow the direction and submit the reports referenced in both the House and Senate reports relating to foreign currency exchange rate gains, and to provide the report on trade show revenues requested in the House report.

#### EXPORT ADMINISTRATION

##### OPERATIONS AND ADMINISTRATION

The conference agreement includes \$54,038,000 for the Bureau of Export Administration (BXA), instead of \$49,527,000 as proposed in the House bill and \$55,931,000 as proposed in the Senate bill. The conference agreement assumes \$739,000 will be available from prior year carryover, resulting in total availability of \$54,777,000. Of this amount, \$23,878,000 is for Export Administration, including a program increase of \$750,000 for Chemical Weapons Convention inspection activities; \$23,534,000 is for Export Enforcement, including a program increase of \$500,000 for computer export verification; \$4,365,000 is for Management and Policy Coordination, including a program increase of \$1,000,000 for the redesign and replacement of the Export Control Automated Support System; and \$3,000,000 is for the Critical Infrastructure Assurance Office (CIAO).

The CIAO was created by Presidential Decision Directive 63 (PDD-63) as an interim agency to facilitate coordination and integration among Federal agencies as those agencies develop and implement their own critical infrastructure protection and awareness plans. The conferees are concerned that the fiscal year 2000 budget for the CIAO proposes a number of initiatives which would expand the role of the CIAO beyond its coordination and integration function, and create new programs and activities which may be duplicative of activities and responsibilities assigned to other Federal agencies. The conferees believe the amount provided, which also reflects the fact that, in fiscal year 2000, 25 staff detailed from other agencies will now be provided to the CIAO on a non-reimbursable basis, will enable the CIAO

to perform its functions as provided for in PDD-63. The conferees expect the CIAO to provide a spending plan for fiscal year 2000 to the Committees on Appropriations no later than December 1, 1999.

The conference agreement does not include language included in the Senate bill, allowing funds to be used for rental of space abroad and expenses of alteration, repair, or improvement.

#### ECONOMIC DEVELOPMENT ADMINISTRATION ECONOMIC DEVELOPMENT ASSISTANCE PROGRAMS

The conference agreement includes \$361,879,000 for Economic Development Administration grant programs, instead of \$364,379,000 as proposed in the House bill, and \$203,379,000 as proposed in the Senate bill.

Of the amounts provided, \$205,850,000 is for Public Works and Economic Development, \$34,629,000 is for Economic Adjustment Assistance, \$77,300,000 is for Defense Conversion, \$24,000,000 is for Planning, \$9,100,000 is for Technical Assistance, including University Centers, \$10,500,000 is for Trade Adjustment Assistance, and \$500,000 is for Research. EDA is expected to allocate this funding in accordance with the direction included in the House report.

The conference agreement does not include language included in the House bill relating to attorneys' fees, since that language was included in the EDA reauthorization legislation (P.L. 105-393) enacted in 1998. The conference agreement makes funding under this account available until expended, as proposed in the Senate bill.

#### SALARIES AND EXPENSES

The conference agreement includes \$26,500,000 for salaries and expenses of the EDA, instead of \$24,000,000 as proposed in the House bill, and \$24,937,000 included in the Senate bill. This funding is to enable EDA to maintain its existing level of operations, which in the past has been partially funded by non-appropriated sources of funding that are not expected to be available in fiscal year 2000.

#### MINORITY BUSINESS DEVELOPMENT AGENCY MINORITY BUSINESS DEVELOPMENT

The conference agreement includes \$27,314,000 for the programs of the Minority Business Development Agency (MBDA), instead of \$27,000,000 included in the House bill and \$27,627,000 included in the Senate bill. The conference agreement assumes that MBDA will continue its support for the Entrepreneurial Technology Apprenticeship Program at the current level, as directed in the House report.

#### ECONOMIC AND INFORMATION INFRASTRUCTURE

##### ECONOMIC AND STATISTICAL ANALYSIS SALARIES AND EXPENSES

The conferees have provided \$49,499,000 for salaries and expenses of the activities funded under the Economic and Statistical Analysis account, instead of \$48,490,000 as proposed in the House bill and \$51,158,000 as proposed in the Senate bill. The conferees support the Bureau of Economic Analysis' initiative of updating and improving statistical measurements of the U.S. economy and its measurement of international transactions. The conference agreement concurs with the directive included in the House report regarding the Integrated Environmental-Economic Accounting initiative.

The travel and tourism industry makes a substantial contribution to the economy. A satellite account for travel and tourism has the potential to provide objective, thorough data to inform policy decisions. The Bureau is directed to provide a report on the advisability, utility, and relative priority of es-

tablishing a satellite account for travel and tourism by March 1, 2000.

#### BUREAU OF THE CENSUS

The conference agreement includes a total of \$4,758,573,000 for the Bureau of the Census for fiscal year 2000, of which \$4,476,253,000 is provided as an emergency appropriation, instead of \$4,754,720,000 as proposed in the House bill, of which \$4,476,253,000 was proposed as an emergency appropriation, and \$3,071,698,000 as proposed in the Senate bill as a direct appropriation.

#### SALARIES AND EXPENSES

The conference agreement includes \$140,000,000 for the Salaries and Expenses of the Bureau of the Census for fiscal year 2000, instead of \$136,147,000 as proposed in the House bill, and \$156,944,000 as proposed in the Senate bill.

#### PERIODIC CENSUSES AND PROGRAMS

The conference agreement includes \$4,618,573,000, of which \$4,476,253,000 is an emergency appropriation, as proposed in the House bill, instead of \$2,914,754,000 in direct appropriations as proposed in the Senate bill.

**Decennial Census Programs.**—The conference agreement includes an emergency appropriation of \$4,476,253,000 for the 2000 decennial census as proposed in the House bill, instead of \$2,764,545,000 in direct appropriations as proposed in the Senate bill. The following represents the distribution of funds provided for the 2000 Census:

Program Development and Management .....	\$20,240,000
Data Content and Products .....	194,623,000
Field Data Collection and Support Systems .....	3,449,952,000
Address List Development .....	43,663,000
Automated Data Process and Telecommunications Support .....	477,379,000
Testing and Evaluation .....	15,988,000
Puerto Rico, Virgin Islands and Pacific Areas .....	71,416,000
Marketing, Communications and Partnerships ...	199,492,000
Census Monitoring Board ..	3,500,000
<b>Total, Decennial Census .....</b>	<b>4,476,253,000</b>

The conference agreement does not provide funding for the Continuous Measurement program in the decennial census program as proposed in the Senate bill, but instead continues funding for this program under Other Periodic Programs as proposed in the House bill.

The conferees share the concerns expressed in the House report regarding the Bureau's ability to accurately project its funding requirements, and provide timely information regarding its needs to the Committees. The conferees expect the Bureau to follow the direction included in the House report requiring monthly reports on the obligation of funds against each framework. The conferees remind the Bureau that reallocation of resources among the frameworks listed above are subject to the requirements of section 605 of this Act.

The conferees remain concerned about the implementation of the decennial census in areas like Alaska, where most of the State is not accessible by road and many people speak languages other than English. The conferees encourage the Bureau to continue working with all interested parties in Alaska to ensure that full and complete census data is received from remote locations and the State's migratory populations.

In addition, the conferees encourage the Bureau to continue to explore the possible use of data collected in the decennial census from Puerto Rico in national summary data



products and expect the Bureau to report to the Committees as directed in the House report. The conference agreement adopts by reference the House report language regarding enumeration of deaf persons in the 2000 Census.

The conference agreement includes language designating the amounts provided for each decennial framework as proposed in the House bill. Should the operational needs of the decennial census necessitate the transfer of funds between these frameworks, the Bureau may transfer such funds as necessary subject to modified transfer and reprogramming procedures. Language is also included designating the entire amount provided for the decennial census as an emergency requirement as proposed in the House bill. The Senate bill did not contain similar provisions. In addition, the conference agreement includes language designating funding under this account for the expenses of the Census Monitoring Board as proposed in the House bill. The Senate bill did not include a similar provision, but instead included funding for the Board as a separate appropriation under Title V.

**Other Periodic Programs.**—The conference agreement includes \$142,320,000 for other periodic censuses and programs as proposed in the House bill, instead of \$125,209,000 as proposed in the Senate bill. The following table represents the distribution of funds provided for other non-decennial periodic censuses and related programs:

Economic Censuses .....	\$46,444,000
Census of Governments .....	3,735,000
Intercensal Demographic Estimates .....	5,260,000
Continuous Measurement ..	20,000,000
Demographic Survey Sample Redesign .....	4,478,000
Electronic Information Collection (CASIC) .....	6,000,000
Geographic Support .....	33,406,000
Data Processing Systems ..	22,997,000
<b>Total .....</b>	<b>142,320,000</b>

NATIONAL TELECOMMUNICATIONS AND  
INFORMATION ADMINISTRATION  
SALARIES AND EXPENSES

The conference agreement includes \$10,975,000 for National Telecommunications and Information Administration (NTIA) salaries and expenses, instead of \$10,940,000 as proposed in the House bill, and \$11,009,000 as proposed in the Senate bill. The conference agreement assumes that NTIA will receive an additional \$20,844,000 through reimbursements from other agencies for the costs of providing spectrum management, analysis and research services to those agencies.

The conferees direct the General Accounting Office to review the relationship between the Department of Commerce and the Internet Corporation for Assigned Names and Numbers (ICANN) and to issue a report no later than June, 2000. The conferees request that GAO review: (1) the legal basis for the selection of U.S. representatives to ICANN's interim board and for the expenditure of funds by the Department for the costs of U.S. representation and participation in ICANN's proceedings; (2) whether U.S. participation in ICANN proceedings is consistent with U.S. law, including the Administrative Procedures Act; (3) a legal analysis of the Department of Commerce's opinion that OMB Circular A-25 provides ICANN, as a "project partner" with the Department of Commerce, authority to impose fees on Internet users for ICANN's operating costs; and (4) whether the Department has the legal authority to transfer control of the authoritative root server to ICANN. In addition, the conferees seek GAO's evaluation and recommendations regarding placing responsibility for U.S. par-

ticipation in ICANN under the National Institute of Standards and Technology rather than NTIA, and request that GAO review the adequacy of security arrangements under existing Departmental cooperative agreements.

PUBLIC TELECOMMUNICATIONS FACILITIES,  
PLANNING AND CONSTRUCTION

The conference agreement includes \$26,500,000 for the Public Telecommunications Facilities, Planning and Construction (PTFP) program, instead of \$18,000,000 as proposed in the House bill, and \$30,000,000 as proposed in the Senate bill. NTIA is expected to use this funding for the existing equipment and facilities replacement program, and to maintain an acceptable balance between traditional grants and those stations converting to digital broadcasting.

The conference agreement contains language, similar to a provision carried in fiscal year 1999, permanently making the Pan-Pacific Education and Communications Experiments by Satellite (PEACESAT) program eligible to compete for funding under this account, as proposed in the Senate bill.

The conference agreement retains the statutory citation for the program as proposed in the House bill, instead of the citations proposed in the Senate bill.

INFORMATION INFRASTRUCTURE GRANTS

The conference agreement includes \$15,500,000 for NTIA's Information Infrastructure Grant program, instead of \$13,000,000 as proposed in the House bill, and \$18,102,000 as proposed in the Senate bill.

The conferees concur with both the House and Senate reports, which identify overlap between funding provided under this program and funding provided under Department of Justice, Office of Justice Programs, with respect to law enforcement communication and information networks, and which recommend that this program not be used to fund projects for which other sources of funding are available. The conferees also concur with language in the House report emphasizing the importance of increased telecommunications access in areas where service is not readily available and where assistance is not available through other mechanisms.

PATENT AND TRADEMARK OFFICE

SALARIES AND EXPENSES

The conference agreement provides a total funding level of \$871,000,000 for the Patent and Trademark Office (PTO), instead of \$851,538,000 as proposed in the House bill, and \$901,750,000 as proposed in the Senate bill. Of this amount, \$755,000,000 is to be derived from fiscal year 2000 offsetting fee collections, and \$116,000,000 is to be derived from carryover of prior year fee collections. This amount represents an increase of \$86,000,000, or 11%, above the fiscal year 1999 operating level of the PTO.

The conference agreement includes language limiting the amount of carryover that may be obligated in fiscal year 2000 to \$116,000,000, to conform to recently enacted authorization legislation, as proposed in the House bill.

The conference agreement also includes new language limiting the amount of fees in excess of \$755,000,000 that becomes available for obligation on October 1, 2000 to \$229,000,000.

The PTO is expected to follow the direction included in the House report concerning its partnership with the National Inventor's Hall of Fame and Inventure Place.

SCIENCE AND TECHNOLOGY

TECHNOLOGY ADMINISTRATION

UNDER SECRETARY FOR TECHNOLOGY/OFFICE OF  
TECHNOLOGY POLICY

SALARIES AND EXPENSES

The conference agreement includes \$7,972,000 for the Technology Administration, as proposed in both the House and Senate bills. No funds are made available beyond fiscal year 2000, as proposed in the House bill, instead of \$600,000 made available through fiscal year 2001, as proposed in the Senate bill. The conferees concur with the direction contained in both the House and Senate reports.

NATIONAL INSTITUTE OF STANDARDS AND  
TECHNOLOGY

SCIENTIFIC AND TECHNICAL RESEARCH AND  
SERVICES

The conference agreement includes \$283,132,000 for the internal (core) research account of the National Institute of Standards and Technology, instead of \$280,136,000 as proposed in the House bill, and \$288,128,000 as proposed in the Senate bill.

The conference agreement provides funds for the core research programs of NIST as follows:

Electronics and Electrical Engineering .....	\$38,771,000
Manufacturing Engineering .....	19,560,000
Chemical Science and Technology .....	32,493,000
Physics .....	28,697,000
Material Sciences and Engineering .....	52,010,000
Building and Fire Research	15,331,000
Computer Science and Applied Mathematics .....	45,352,000
Technology Assistance .....	17,723,000
Baldrige Quality Awards ...	4,958,000
Research Support .....	29,237,000
<b>Subtotal, STRS .....</b>	<b>284,132,000</b>
<b>Deobligations .....</b>	<b>(1,000,000)</b>
<b>Total, STRS .....</b>	<b>283,132,000</b>

The increase provided in the conference agreement above fiscal year 1999 is largely to fund increases in base requirements. The conference agreement also includes sufficient funding for selected program increases for the highest priority programs in computer science and applied mathematics and in technology assistance, and \$1,600,000 to continue the disaster research program on effects of windstorms on protective structures and other technologies begun in fiscal year 1998. NIST is directed to follow the guidance included in the House report regarding the placement of NIST personnel overseas.

INDUSTRIAL TECHNOLOGY SERVICES

The conference agreement includes \$247,436,000 for the NIST external research account instead of \$99,836,000 as proposed in the House bill, and \$336,336,000 as proposed in the Senate bill.

**Manufacturing Extension Partnership Program.**—The conference agreement includes \$104,836,000 for the Manufacturing Extension Partnership Program (MEP), instead of \$99,836,000 as proposed in the House bill, and \$109,836,000 as proposed in the Senate bill. The conference agreement does not contain the limitation on a Center's level of funding proposed in the House bill.

The conferees concur with the Senate direction that the Northern Great Plains Initiative e-commerce project should assist small manufacturers for marketing and business development purposes in rural areas.

**Advanced Technology Program.**—The conference agreement includes \$142,600,000 for

the Advanced Technology Program (ATP), instead of \$226,500,000 as proposed in the Senate bill, and no funding as proposed in the House bill. This is \$60,900,000 below the fiscal year 1999 appropriation, and \$96,100,000 below the original request. At the end of fiscal year 1999, the Administration revised the overall level requested for the program downward from \$251,500,000 to \$215,000,000, in part because the amount awarded for new grants in fiscal year 1999 totaled \$41,500,000, which was \$24,500,000 below the amount available for new awards. The amount of carryover into fiscal year 2000 was also substantially higher than had been anticipated. The requested level of new awards for fiscal year 2000 was also revised downward from \$73,000,000 to \$54,700,000. The funding levels contained in the conference agreement were considered in response to that revised request.

The recommendation provides the following: (1) \$115,100,000 for continued funding requirements for awards made in fiscal years 1996, 1997, 1998, and 1999, to be derived from \$46,700,000 in fiscal year 2000 funding, \$64,600,000 from excess balances available from prior years, and \$3,800,000 in anticipated deobligations in fiscal year 2000; (2) \$50,700,000 for new awards in fiscal year 2000; and (3) \$45,200,000 for administration, internal NIST lab support and Small Business Innovation Research requirements.

The conference agreement permits up to \$500,000 of funding to be transferred to the Working Capital Fund, as proposed in the Senate bill.

#### CONSTRUCTION OF RESEARCH FACILITIES

The conference agreement provides \$108,414,000 for construction, renovation and maintenance of NIST facilities, instead of \$56,714,000 as proposed in the House bill, and \$117,500,000 as proposed in the Senate bill.

Of this amount, \$84,916,000 is for construction of the Advanced Metrology Laboratory. This will provide the balance of funds needed to initiate construction. Total funding available for construction, including funding provided in previous years, is \$203,300,000. The conference agreement includes bill language making the \$84,916,000 provided for this Laboratory available upon submission of a spending plan in accordance with Section 605 of this Act.

In addition, \$11,798,000 is provided for safety, capacity, maintenance and major repair of NIST facilities.

In addition, \$11,700,000 is provided for grants and cooperative agreements.

#### NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

The conference agreement provides a total funding level of \$2,343,736,000 for all programs of the National Oceanic and Atmospheric Administration (NOAA), instead of \$1,956,838,000 as proposed by the House, and \$2,556,876,000 as proposed by the Senate. Of these amounts, the conferees have included \$1,688,189,000 in the Operations, Research, and Facilities (ORF) account, \$596,067,000 in the Procurement, Acquisition and Construction (PAC) account, and \$59,480,000 in other NOAA accounts.

#### OPERATIONS, RESEARCH, AND FACILITIES (INCLUDING TRANSFERS OF FUNDS)

The conference agreement includes \$1,688,189,000 for the Operations, Research, and Facilities account of the National Oceanic and Atmospheric Administration instead of \$1,475,128,000 as proposed by the House, and \$1,783,118,000 as proposed by the Senate.

In addition to the new budget authority provided, the conference agreement allows a transfer of \$68,000,000 from balances in the account titled "Promote and Develop Fishery Products and Research Related to American Fisheries", instead of \$67,226,000 as proposed by the House, and instead of \$66,426,000 as proposed by the Senate. In addition, the conference agreement reflects prior year deobligations totaling \$36,000,000, unobligated balances of \$2,652,000, and \$4,000,000 in offsets from fee collections.

The conference agreement does not include language proposed in the House bill designating the amounts provided under this account for the six NOAA line offices. The Senate bill contained no similar provision.

The conference agreement includes language, as proposed by the House, which was adopted in the fiscal year 1999 appropriations Act, designating the amounts available for Executive Direction and Administration, and prohibiting augmentation of such offices through formal or informal personnel details, transfers, or reimbursements above the current level.

The conference agreement does not include or assume language proposed by the House, making the use of deobligated balances subject to standard reprogramming procedures. The conferees direct that any use of deobligations over and above the \$36,000,000 assumed by the conference agreement will be

undertaken only under the procedures set forth in section 605 of this Act.

The conference agreement does not include \$34,000,000 in controversial new fisheries and navigation safety fees that were proposed in the budget request, although no details on the proposal were forthcoming. The House bill did not legislate the fees, but did assume the revenue from those fees would be available.

**Budgetary and Financial Matters.**—Language in the House report is adopted by reference relating to: (1) a revised budget structure, with the requested reports due by February 1, 2000; and (2) an operating plan for expenditure of funds, with the report due 60 days after the date of enactment.

**Peer Review.**—Language in the House report requiring peer review of all NOAA research is adopted by reference.

**NOAA Commissioned Corps.**—The conference agreement does not include bill language, as proposed by the House, setting a ceiling on the number of commissioned corps officers at not more than 250 by September 30, 2000. The Senate bill did not include a similar provision. With respect to the commissioned corps, as it is authorized by P.L. 105-384, the conferees understand that NOAA plans to reach a level of about 250 officers by the end of the fiscal year, up from the current level of 224, and expect to be notified if plans change significantly from that level.

The conference agreement includes language proposed by the House, providing such funds as may be necessary for NOAA commissioned corps retirement costs.

The conference agreement does not include a provision, as proposed by the Senate, permitting the Secretary to have NOAA occupy and operate research facilities at Lafayette, Louisiana.

NOAA is directed to report by March 1, 2000, on any requirement for new space for NOAA employees in the Gulf of Mexico area, including an explanation of the need for such space, and options for, and estimated costs of, obtaining the space. The report should also address the existing space that NOAA occupies in the area, and what would happen to the existing space.

The following table reflects the distribution of the funds provided in this conference agreement:

#### NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION—OPERATIONS, RESEARCH AND FACILITIES—FISCAL YEAR 2000

(In thousands of dollars)

	FY99 enacted	FY00 request	FY00 House	FY00 Senate	FY00 conference
<b>NATIONAL OCEAN SERVICE</b>					
Navigation Services:					
Mapping and Charting .....	34,260	33,335	32,100	36,335	35,298
Address Survey Backlog .....	14,000	14,900	14,000	14,900	18,900
Subtotal .....	48,260	48,235	46,100	51,235	54,198
Geodesy .....	19,659	19,849	19,659	21,415	20,159
Tide and Current Data .....	12,000	14,883	12,390	15,273	12,390
Acquisition of Data .....	14,546	17,726	14,546	17,726	15,546
Total, Navigation Services .....	94,465	100,693	92,695	105,649	102,293
Ocean Resources Conservation and Assessment:					
Ocean Assessment Program .....	42,611	46,281	26,861	52,681	44,846
GLERL .....		6,085		6,825	
Transfer from Damage Assessment Fund .....	5,683				
Response and Restoration .....	8,774	19,884	8,774	15,884	15,329
Oceanic and Coastal Research .....	7,410	7,970	5,410	9,470	8,470
Subtotal—Estuarine & Coastal Assessment .....	64,478	80,220	41,045	84,860	68,645
Coastal Ocean Program .....	18,400	19,430	18,200	18,430	17,200
Total, Ocean Resources Conservation & Assessment .....	82,878	99,650	59,245	103,290	85,845
Ocean and Coastal Management:					
CZM Grants .....	53,700	55,700	53,700	60,000	54,700
CZM 310 Grants .....		28,000			
Estuarine Research Reserve System .....	4,300	7,000	5,650	7,000	6,000
Nonpoint Pollution Control .....	4,000	6,000	4,000	1,000	2,500
Program Administration .....	4,500	5,500	4,500	4,500	4,500
Subtotal, Coastal Management .....	66,500	102,200	67,850	72,500	67,700

## NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION—OPERATIONS, RESEARCH AND FACILITIES—FISCAL YEAR 2000—Continued

[In thousands of dollars]

	FY99 enacted	FY00 request	FY00 House	FY00 Senate	FY00 conference
Marine Sanctuary Program .....	14,350	26,000	16,500	18,500	23,000
Total, Ocean & Coastal Management .....	80,850	128,200	84,350	91,000	90,700
Total, NOS .....	258,193	328,543	236,290	299,939	278,838
NATIONAL MARINE FISHERIES SERVICE					
Information Collection and Analysis:					
Resource Information .....	106,675	96,918	98,100	112,520	108,348
Antarctic Research .....	1,200	1,200	1,200	1,800	1,234
Chesapeake Bay Studies .....	1,890	1,500	1,890	1,890	1,890
Right Whale Research .....	350	200	350	4,100	.....
MARFIN .....	3,000	3,000	2,500	3,000	2,750
SEAMAP .....	1,200	1,200	1,200	1,200	1,200
Alaskan Groundfish Surveys .....	900	661	661	900	900
Bering Sea Pollock Research .....	945	945	945	945	945
West Coast Groundfish .....	800	780	780	900	820
New England Stock Depletion .....	1,000	1,000	1,000	1,000	1,000
Hawaii Stock Management Plan .....	500	.....	.....	500	500
Yukon River Chinook Salmon .....	700	700	.....	1,500	1,200
Atlantic Salmon Research .....	710	710	710	710	710
Gulf of Maine Groundfish Survey .....	567	567	567	567	567
Dolphin/Yellowfin Tuna Research .....	250	250	250	250	250
Pacific Salmon Treaty Program .....	7,444	5,587	5,587	12,457	17,431
Hawaiian Monk Seals .....	700	500	500	1,050	750
Steller Sea Lion Recovery Plan .....	2,520	1,440	1,440	4,000	4,000
Hawaiian Sea Turtles .....	275	248	248	300	285
Bluefish/Striped Bass .....	1,000	.....	1,000	.....	1,000
Halibut/Sablefish .....	1,200	1,200	1,200	1,200	1,200
Narragansett Bay Coop Study .....	.....	.....	.....	806	.....
Subtotal .....	133,826	118,606	120,128	151,595	146,980
Fishery Industry Information:					
Fish Statistics .....	13,000	14,257	13,000	14,257	13,000
Alaska Groundfish Monitoring .....	5,500	5,200	5,200	6,325	5,500
PACFIN/Catch Effort Data .....	4,700	3,000	4,700	3,000	3,000
AKFIN (Alaska Fishery Information Network) .....	.....	.....	.....	3,000	2,500
RECFIN .....	3,900	3,100	3,100	3,900	3,700
GULF FIN Data Collection Effort .....	3,000	.....	3,000	4,000	3,500
Subtotal .....	30,100	25,557	29,000	34,482	31,200
Information Analyses and Dissemination .....	20,900	21,342	20,400	21,342	20,900
Computer Hardware and Software .....	4,000	4,000	750	4,000	3,500
Subtotal .....	24,900	25,342	21,150	25,342	24,400
Acquisition of Data .....	25,098	25,488	25,098	25,488	25,943
Total, Information, Collection, and Analyses .....	213,924	194,993	195,376	236,907	228,523
Conservation and Management Operations:					
Fisheries Management Programs .....	29,900	32,687	29,770	44,337	39,060
Columbia River Hatcheries .....	13,600	11,400	11,400	15,420	12,055
Columbia River Endangered Species .....	288	288	288	288	288
Regional Councils .....	13,000	13,300	12,800	13,300	13,150
International Fisheries Commissions .....	400	400	400	400	400
Management of George's Bank .....	478	478	478	478	478
Pacific Tuna Management .....	2,300	1,250	1,250	3,000	2,300
Fisheries Habitat Restoration .....	.....	22,700	.....	1,000	2,000
NE Fisheries Management .....	1,880	5,180	1,880	8,000	6,000
Subtotal, Fisheries Mgmt. Programs .....	61,846	87,683	58,266	86,223	75,731
Protected Species Management .....	6,200	9,406	6,200	6,200	6,200
Driftnet Act Implementation .....	3,378	3,278	3,278	3,650	3,439
Marine Mammal Protection Act .....	7,583	7,225	7,225	8,025	7,583
Endangered Species Act Recovery Plan .....	28,000	55,450	25,750	39,750	43,500
Dolphin Encirclement .....	3,300	3,300	3,300	3,300	3,300
Native Marine Mammals .....	750	700	200	1,150	950
Observers/Training .....	2,650	4,225	2,225	4,650	2,650
Subtotal .....	51,861	83,584	48,178	66,725	67,622
Habitat Conservation .....	9,000	10,858	9,000	10,858	9,200
Enforcement & Surveillance .....	17,775	19,121	17,775	19,121	17,950
Total, Conservation, Management & Operations .....	140,482	201,246	133,219	182,927	170,503
State and Industry Assistance Programs:					
Interjurisdictional Fisheries Grants .....	2,600	2,600	2,600	3,100	2,600
Anadromous Grants .....	2,100	2,100	2,100	2,100	2,100
Interstate Fish Commissions .....	7,750	4,000	7,750	7,750	7,750
Subtotal .....	12,450	8,700	12,450	12,950	12,450
Fisheries Development Program:					
Product Quality and Safety/Seafood Inspection .....	9,824	8,328	9,500	8,328	9,500
Hawaiian Fisheries Development .....	750	.....	.....	750	750
NE Safe Seafood Program .....	.....	.....	.....	300	.....
Subtotal .....	10,574	8,328	9,500	9,378	10,250
Total, State and Industry Programs .....	23,024	17,028	21,950	22,328	22,700
Total, NMFS .....	377,430	413,267	350,545	442,162	421,726
OCEANIC AND ATMOSPHERIC RESEARCH					
Climate and Air Quality Research:					
Interannual & Seasonal .....	14,900	16,900	12,900	18,900	16,900
Climate & Global Change Research .....	63,000	69,700	63,000	77,200	67,000
GLOBE .....	2,500	5,000	.....	2,500	3,000
Subtotal .....	80,400	91,600	75,900	98,600	86,900

## NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION—OPERATIONS, RESEARCH AND FACILITIES—FISCAL YEAR 2000—Continued

[In thousands of dollars]

	FY99 enacted	FY00 request	FY00 House	FY00 Senate	FY00 conference
Long-term Climate & Air Quality Research .....	30,000	34,600	30,000	32,000	30,000
Information Technology .....	12,000	13,500	12,000	13,500	12,750
Subtotal .....	42,000	48,100	42,000	45,500	42,750
Total, Climate and Air Quality Research .....	122,400	139,700	117,900	144,100	129,650
Atmospheric Programs:					
Weather Research .....	36,100	36,600	34,600	38,100	37,350
STORM .....				2,000	2,000
Wind Profiler .....	4,350	4,350	4,350	4,350	4,350
Subtotal .....	40,450	40,950	38,950	44,450	43,700
Solar/Geomagnetic Research .....	6,000	6,100	6,000	7,100	7,000
Total, Atmospheric Programs .....	46,450	47,050	44,950	51,550	50,700
Ocean and Great Lakes Programs:					
Marine Research Prediction .....	26,801	22,300	19,501	36,190	27,325
GLERL .....	6,825		6,825		6,825
Sea Grant Program .....	57,500	51,500	58,500	60,500	59,250
National Undersea Research Program .....	14,550	9,000		14,550	13,800
Total, Ocean and Great Lakes Programs .....	105,676	82,800	84,826	111,240	107,200
Acquisition of Data .....	12,884	13,020	12,884	13,020	12,952
Total, OAR .....	287,410	282,570	260,560	319,910	300,502
NATIONAL WEATHER SERVICE					
Operations and Research:					
Local Warnings and Forecasts .....	357,034	450,411	441,693	452,271	444,487
MARDI .....	64,036				
Radiosonde Replacement .....	2,000		2,000		
Susquehanna River Basin flood system .....	1,250	619	1,250	1,000	1,125
Aviation forecasts .....	35,596	35,596	35,596	35,596	35,596
Advanced Hydrological Prediction System .....		2,200	1,000	2,200	1,000
WFO Maintenance .....				4,000	3,250
Subtotal .....	459,916	488,826	481,539	495,067	485,458
Central Forecast Guidance .....	35,574	37,081	37,081	37,081	37,081
Atmospheric and Hydrological Research .....	2,964	3,090	2,964	3,090	3,000
Total, Operations and Research .....	498,454	528,997	521,584	535,238	525,539
Systems Acquisition:					
Public Warnings and Forecast Systems:					
NEXRAD .....	38,346	39,325	38,346	39,325	38,836
ASOS .....	7,116	7,573	7,116	7,573	7,345
AWIPS/NOAA Port .....	12,189	38,002	32,150	38,002	32,150
Computer Facilities Upgrades .....	4,600				
Total, Systems Acquisition .....	62,251	84,900	77,612	84,900	78,331
Total, NWS .....	560,705	613,897	599,196	620,138	603,870
NATIONAL ENVIRONMENTAL SATELLITE, DATA AND INFORMATION SERVICE					
Satellite Observing Systems:					
Ocean Remote Sensing .....	4,000	4,000		4,000	4,000
Environmental Observing Systems .....	53,300	53,236	50,800	55,736	53,300
Global Disaster Information Network .....		2,000			
Total, Satellite Observing Systems .....	57,300	59,236	50,800	61,736	57,300
Environmental Data Management Systems .....	33,550	31,521	35,021	34,521	38,700
Data and Information Services .....	16,335	12,335	12,335	12,335	12,335
Regional Climate Centers .....	2,700		2,500	3,000	2,750
Total, EDMS .....	52,635	43,856	49,856	49,856	53,785
Total, NESDIS .....	109,935	103,092	100,656	111,592	111,085
PROGRAM SUPPORT					
Administration and Services:					
Executive Direction and Administration .....	19,200	19,573	19,200	19,573	19,387
Systems Acquisition Office .....	700	712	700	712	712
Subtotal .....	19,900	20,285	19,900	20,285	20,099
Central Administrative Support .....	31,850	42,583	28,850	41,583	36,350
Retired Pay Commissioned Officers .....	7,000				
Total, Administration and Services .....	58,750	62,868	48,750	61,868	56,449
Aircraft Services .....	10,500	11,019	10,500	11,019	10,760
Rent Savings .....		(4,656)			(4,656)
Total, Program Support .....	69,250	69,231	54,594	72,887	62,553
FLEET PLANNING AND MAINTENANCE .....	11,600	9,243	7,000	13,243	13,243
Facilities:					
NOAA Facilities Maintenance .....	1,650	1,818	1,800	1,818	1,809
NCEP/NORMAN Space Planning .....	150				
Environmental Compliance .....	2,000	3,899	2,000	3,899	2,000
Sandy Hook Lease .....	2,000				
WFO Maintenance .....	3,000	4,000	3,000		
NMFS Facilities Management .....		3,800			
Columbia River Facilities .....	4,465	3,365	3,365		3,365
Boulder Facilities Operations .....		3,850		3,850	3,850
NARA Records Mgmt .....		262		262	
Total, Facilities .....	13,265	20,994	10,165	9,829	11,024
Direct Obligations .....	1,687,788	1,840,837	1,619,006	1,889,700	1,802,841
Offset for Fee Collections .....				(4,000)	(4,000)
Reimbursable Obligations .....	195,767	195,767	195,767	195,767	195,767

## NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION—OPERATIONS, RESEARCH AND FACILITIES—FISCAL YEAR 2000—Continued

[In thousands of dollars]

	FY99 enacted	FY00 request	FY00 House	FY00 Senate	FY00 conference
Offsetting Collections (data sales) .....	3,600	3,600	3,600	3,600	3,600
Offsetting Collections (fish fees/IFQ CDQ) .....	4,000	4,000	4,000	4,000	4,000
Subtotal, Reimbursables .....	203,367	203,367	203,367	199,367	199,367
Total, Obligations .....	1,891,155	2,044,204	1,822,373	2,089,067	2,002,208
Financing:					
Deobligations .....	(33,000)	(33,000)	(36,000)	(33,000)	(36,000)
Unobligated Balance transferred, net .....	(969)		(2,652)		(2,652)
Coastal Zone Management Fund .....	(4,000)		(4,000)		
Offsetting Collections (data sales) .....	(3,600)	(3,600)	(3,600)	(3,600)	(3,600)
Offsetting Collections (fish fees/IFQ CDQ) .....		(4,000)	(4,000)	(4,000)	(4,000)
Anticipated Offsetting Collections (fish fees) .....	(4,000)	(20,000)	(20,000)		
Anticipated Offsetting Collections (navigation fees) .....		(14,000)	(14,000)		
Rent savings to finance Goddard .....				(4,656)	
Federal Funds .....	(134,927)	(134,927)	(134,927)	(172,000)	(134,927)
Non-Federal Funds .....	(60,840)	(60,840)	(60,840)	(23,767)	(60,840)
Subtotal, Financing .....	(241,336)	(270,367)	(280,019)	(241,023)	(242,019)
Budget Authority .....	1,649,819	1,773,837	1,542,354	1,848,044	1,760,189
Financing from:					
Promote and Develop American Fisheries .....	(63,381)	(64,926)	(67,226)	(66,426)	(68,000)
Damage Assess. & Restor. Revolving Fund .....	(4,714)				
Coastal Zone Management Fund .....		(4,000)		(4,000)	(4,000)
Subtotal, ORF .....	1,581,724	1,704,911	1,475,128	1,777,618	1,688,189
By Transfer from Coastal Zone Management Fund .....		4,000			
Direct Appropriation, ORF .....	1,581,724	1,708,911	1,475,128	1,777,618	1,688,189

The following narrative provides additional information related to certain items included in the preceding table.

## NATIONAL OCEAN SERVICE

The conferees have provided a total of \$278,838,000 under this account for the activities of the National Ocean Service (NOS), instead of \$236,290,000 as recommended by the House, and \$299,939,000 as recommended by the Senate.

**Mapping and Charting.**—The conference agreement provides \$35,298,000 for NOAA's mapping and charting programs, reflecting continued commitment to the navigation safety programs of NOS and concerns about the ability of the NOS to continue to meet its mission requirements over the long term. Of this amount, \$32,718,000 is provided for the base mapping and charting program. Within the total funding provided under Mapping and Charting, the conference agreement includes \$2,580,000 for the joint hydrographic center established in fiscal year 1999.

The conference agreement also includes \$18,900,000 under the line item Address Survey Backlog/Contracts exclusively for contracting out with the private sector for data acquisition needs. This is \$4,000,000 above the request and is intended to help keep the level of effort close to fiscal year 1999, when the program had a significant amount of carry-over in addition to the fiscal year 1999 funding for the program.

**Geodesy.**—The conference agreement provides \$20,159,000 for geodesy programs, including \$19,159,000 for the base program, \$500,000 for initial planning of the National Height System Demonstration, as provided in the House report, and \$500,000 for the geodetic survey referenced in the Senate report.

**Tide and Current Data.**—The conference agreement includes \$12,390,000 for this activity, including \$12,000,000 for the base program and \$390,000 for a one-time Year 2000 fix for Great Lakes Buoys, as provided by both the House and Senate bills.

**Ocean Assessment Program.**—The conference agreement includes \$44,846,000 for this activity. Within the amounts provided for ocean assessment, the conference agreement includes the following: \$12,685,000 for the base program; \$15,100,000 for NOAA's Coastal Services Center, of which \$2,500,000 is for coastal hazards research and services and de-

velopment of defense technologies for environmental monitoring, and \$100,000 is one-time funding for the Community Sustainability Center, as referenced in the Senate report; \$5,800,000 to continue the Cooperative Institute for Coastal and Estuarine Environmental Technology; \$900,000 for the South Florida Ecosystem Restoration program; \$2,000,000 to support coral reef studies in the Pacific and Southeast, of which \$1,000,000 is for Hawaiian coral reef monitoring, \$500,000 is for reef monitoring in Florida, and \$500,000 is for reef monitoring in Puerto Rico, through the Department of Natural Resources; \$3,925,000 for pfisteria and other harmful algal bloom research and monitoring, of which \$500,000 is for a pilot project to preemptively address emerging problems prior to the occurrence of harmful blooms, to be carried out by the South Carolina Department of Marine Resources; \$2,000,000 for the JASON project and \$2,436,000 for the NOAA Beaufort/Oxford Laboratory. In addition, the conference agreement also includes an additional \$5,200,000 under Ocean and Coastal Research and the Coastal Ocean Program for research on pfisteria, hypoxia and other harmful algal blooms.

The conferees direct NOS to evaluate the need and requirements for a collaborative program in Hawaii to develop and transfer innovative applications of technology, remote sensing, and information systems for such activities as mapping, characterization and coastal hazards that will improve the management and restoration of coastal habitat throughout the U.S. Pacific Basin by bringing together government, academic, and private sector partners.

**Office of Response and Restoration.**—The conference agreement includes \$15,329,000 for this activity, including: \$2,674,000 for Estuarine and Coastal Assessment, \$5,155,000 for Damage Assessment, \$1,000,000 in accordance with the Oil Pollution Act of 1990, \$6,000,000 for coral reef mapping and debris removal, and \$500,000 for Coastal Resource Coordination. These funds may be used for mapping coral reefs; for the management and protection of coral reefs within Federal jurisdiction; and for activities that respond to requests from States and territories for assistance in managing and protecting coral reefs within the jurisdiction of those States and territories.

**Ocean and Coastal Research.**—The conference agreement includes \$8,470,000 for this activity, which includes the budget request and an additional \$500,000 for the Marine Environmental Health Research Laboratory.

The conference agreement does not include the proposed transfer of the Great Lakes Environmental Research Laboratory (GLERL) from Oceanic and Atmospheric Research to NOS.

**Coastal Ocean Program.**—The conference agreement provides \$17,200,000 for the Coastal Ocean Program (COP), of which \$4,200,000 is provided for research related to hypoxia, pfisteria, and other harmful algal blooms. The managers of COP are directed to follow the direction included in the House report regarding Long Island Sound, as well as the direction included in the Senate report concerning research on small high-salinity estuaries and the land use-coastal ecosystem study. The conference agreement also assumes continued funding at the current level for restoration of the South Florida ecosystem.

**Coastal Zone Management.**—The conference agreement includes \$67,700,000 for this activity, of which \$54,700,000 is for grants under sections 306, 306A, and 309 of the Coastal Zone Management Act (CZMA), an increase of \$1,000,000 over fiscal year 1999, and \$4,500,000 for Program Administration. In addition, the conference agreement includes \$2,500,000 for the Non-Point Pollution program authorized under section 6217 of the CZMA. No funding is provided under section 310, as in both the House and Senate bills, because there is no authorization of appropriations to make grants under that section. The conference agreement also includes \$6,000,000 for the National Estuarine Research Reserve program, an increase of \$1,700,000 above fiscal year 1999. The conferees concur with the direction in the House report relating to the assessment of administrative charges under the CZMA.

**Marine Sanctuary Program.**—The conference agreement includes \$23,000,000 for the National Marine Sanctuary Program, an increase of \$8,700,000 over fiscal year 1999. Of this amount, \$500,000 is provided to support the activities of the Northwest Straits Citizens Advisory Commission as outlined in the House and Senate reports. In addition, not to exceed \$500,000 may be provided in one-time

support of the Marine Debris Conference referenced in the Senate report under the National Marine Fisheries Service, with the direction that other contributions from sources outside of NOAA be sought to support the conference.

#### NATIONAL MARINE FISHERIES SERVICE

The conference agreement includes a total of \$421,726,000 for the National Marine Fisheries Service (NMFS), instead of \$350,545,000, as recommended by the House and \$442,162,000, as recommended by the Senate.

In addition, \$4,000,000 is authorized to be collected under the Magnuson-Stevens Act to support the Community and Individual Fishery Quota Program. The conferees recommend \$500,000 for the Hawaiian Community Development Program, as referenced in the Senate report.

**Resource Information.**—The conference agreement provides \$108,348,000 for fisheries resource information. Within the funds provided for resource information, \$91,048,000 is provided for the base programs, including \$750,000 for west coast groundfish and \$3,500,000 for Magnuson-Stevens implementation added in fiscal year 1999, of which \$750,000 is for a Narragansett Bay Cooperative Study. In addition, NMFS is expected to continue to provide onsite technical assistance to the National Warmwater Aquaculture Research Center under the direction included in the Senate report. The conferees concur with the language in the Senate report regarding any shift of work now performed by the Alaska and Southwest Fisheries Science Centers.

In addition, within the total funds provided for resource information, the conference agreement includes: \$1,750,000 for additional implementation of the Magnuson-Stevens Act in the North Pacific as directed in the Senate report, funding for MARMAP at the same level as in the House and Senate, under the direction in the Senate report; \$1,700,000 for the Gulf of Mexico Stock Enhancement Consortium, \$1,250,000 for research on Alaska near shore fisheries, to be distributed in accordance with the Senate report, \$200,000 for an assessment of Atlantic herring and mackerel, \$450,000 for the Chesapeake Bay oyster recovery partnership, \$300,000 for research on the Charleston bump, \$300,000 for research on shrimp pathogens, \$150,000 for lobster sampling, \$350,000 for bluefin tuna tagging, of which \$250,000 is for the northeast; \$500,000 for the Chesapeake Bay Multi-species Management Strategy (including blue crab), \$200,000 for the Northeast Fisheries Science Center for the Cooperative Marine Education and Research Program, under the direction in the Senate report, and \$300,000 for research on Southeastern sea turtles under the direction of the Senate report. In addition, within the amounts provided for Resource Information, \$8,000,000 is included to continue the aquatic resources environmental initiative, and \$1,000,000 is provided to continue the activities of the Gulf and South Atlantic Fisheries Development Foundation for data collection and analyses in the red snapper and shrimp fisheries. The conferees acknowledge the work being done at the Xiphophorus Genetic Stock Center to improve the understanding of fish genetics and evolution, and urge NMFS to continue to work with the Center in fiscal year 2000. The conferees concur with language in the Senate report encouraging oyster disease research under the Saltonstall-Kennedy research grant program.

The conferees concur with the language in the House report concerning the migratory shark fishery, and reiterate the request for a report with recommendations for short and long term solutions within 45 days of enactment of this Act. The conferees direct NMFS

to continue collaborative research with the Center for Shark Research and other qualified institutions, to provide the information necessary for effective management of the highly migratory shark fishery and conservation of shark fishery resources.

Under the MARFIN line, \$2,500,000 is provided for base activities, and \$250,000 is provided for Northeast activities. Funding is also provided for bluefish and striped bass research in accordance with the House report. Funding for right whale research and recovery activities is provided under the Endangered Species line. Under Yukon River Chinook Salmon, \$700,000 is provided for base activities, and \$500,000 is provided for the Yukon River Drainage Fisheries Association. Under the Pacific Salmon Treaty Program, \$5,587,000 is provided for base activities, \$1,844,000 is provided for the Chinook Salmon Agreement. In addition, under this line, \$10,000,000, subject to express authorization, is provided as the initial capital for the Southern Boundary and Transboundary Rivers Restoration and Enhancement Fund arising out of the June 30, 1999, Agreement of the United States and Canada on the Treaty Between the United States and Canada Concerning Pacific Salmon. The conference agreement includes \$4,000,000 for stellar sea lion recovery, to be utilized according to the direction in the Senate report.

**Fishery Industry Information.**—The conference agreement provides \$31,200,000 for this activity. Within the funds provided for Alaska Groundfish Monitoring, the conference agreement includes funding for the base program and NMFS rockfish research at the fiscal year 1999 level. In addition, \$850,000 is provided for crab research developed jointly by NMFS and the State of Alaska, and \$800,000 is provided for the State of Alaska to use in implementing Federal fishery management plans for crab, scallops and for rockfish research. In addition, the conference agreement provides \$150,000 each for Gulf of Alaska Coastal Communities Coalition and NMFS Alaska region infield monitoring program. No funding is provided for the Bering Sea Fisherman's Association CDQ.

Within the funds provided for Fishery Industry Information, the conference agreement provides \$3,700,000 for recreational fishery harvest monitoring, including \$500,000 for the annual collection of data on marine recreational fishing, with the balance to be expended in accordance with the direction included in the Senate report. Funds are also appropriated under this activity for the Pacific Fisheries Information Network, including Hawaii, and the Alaska Fisheries Information Network as two separate lines in accordance with the direction included in the Senate report. In addition, funding is provided for the Gulf of Mexico Fisheries Information Network. The conferees agree that NMFS should coordinate the techniques used by the agency to collect data on a national basis while taking into account the unique characteristics of the regional commercial and recreational fisheries. The conferees believe this objective can best be accomplished by relying on the regional information networks administered by the interstate Marine Fisheries Commissions. In addition, the conferees expect NMFS to provide the report on the state of U.S. fishery resources referenced in the Senate report.

The conferees recommend \$3,500,000 for computer hardware and software development, including \$750,000 for the Pacific Marine Fisheries Commission to develop catch reporting software in connection with West Coast States, which will allow electronic reporting of fish ticket information in a manner compatible with systems utilized in various regulatory and monitoring agencies as well as private industry.

The conferees understand that NMFS was using funds to develop its own computer software rather than seeking readily available software. In addition, the software that it was developing may not be compatible with State data collection programs, which means that States may be required to make changes in their systems to accommodate the federal system. In addition, NMFS was not consulting with the affected States and regulatory agencies as required by section 401 of the Magnuson-Stevens Act.

To address this inadequacy, the managers direct NMFS to develop catch data standards which set guidelines on the content of information it requires and the format for transmitting it. That will enable States and private industry to continue to use their existing systems so long as they comply with NMFS standards and guidelines. NMFS may also use the funds provided to develop its own internal software program to manipulate the data it receives from fishermen and state regulators and produce the reports it needs to effectively manage the fisheries.

Under the Acquisition of Data line, within the total of \$25,943,000, an additional \$650,000 is provided for additional days at sea for the Gordon Gunter.

**Fisheries Management Programs.**—The conference agreement includes \$39,060,000 for this activity. Within this amount, \$33,330,000 is provided for base activities, including \$3,500,000 for NMFS facilities at Sandy Hook and Kodiak. Within funding determined to be available, if initial funding is required, the conferees also expect funds to be provided for the Santa Cruz Fisheries Laboratory. Also, the conferees expect the Atlantic Salmon Recovery Plan and the State of Maine Recovery Plan to continue to be funded from within base resources. In addition, \$230,000 is provided for the Pacific Coral Reef fisheries management plan, as described in the Senate report; \$500,000 is provided for Bronx River recovery and restoration; \$5,000,000 for American Fisheries Act Implementation, including \$500,000 each for the North Pacific Fishery Management Council and the State of Alaska.

The conference agreement appropriates a total of \$15,420,000 for NOAA support of Columbia River hatcheries programs, including \$12,055,000 under the NMFS. Within the amount provided under the line item Columbia River hatcheries, NMFS is expected to support hatchery operations at a level of \$11,400,000, and to use the additional funding to support salmon marking activities as described in the Senate report.

Under the Pacific Tuna Management line, \$400,000 is for swordfish research as referenced in the Senate report, and the balance for JIMAR.

For New England Fisheries Management, \$4,000,000 is for NMFS cooperative research, management, and enforcement, including enhanced stock assessments and discard mortality monitoring. In addition, \$2,000,000 is for Northeast Consortium activities, as referenced in the Senate report. The conferees direct NMFS to collaborate with the New England Fisheries Management Council and affected stakeholders to design and prioritize cooperative research programs, and to develop a long-term, comprehensive strategy to rebuild Northeast groundfish stocks.

**Protected Species Management.**—Within the funds provided for protected species management, \$750,000 is for continuation of a study on the impacts of California sea lions and harbor seals on salmonids and the West Coast ecosystem.

**Driftnet Act Implementation.**—Within the funds provided for Driftnet Act Implementation, \$75,000 is for the Pacific Rim Fisheries Program, and \$25,000 is for Washington and Alaska participation.



**Endangered Species Recovery Plans.**—A total of \$43,500,000 is provided for this activity. Of these amounts, \$43,000,000 is for the base program, \$250,000 is to be made available for the State of Alaska for technical support to analyze proposed salmon recovery plans, and \$250,000 is for the North Pacific Fishery Management Council for the purposes directed in the Senate report. The amount for the base program represents an increase of \$17,250,000. Of this increase, \$3,250,000 is provided for additional Pacific salmon-related activities, and \$3,000,000 is provided for additional right whale activities. Together with the amount already in the base for right whales, this will result in a \$4,100,000 funding level for right whale activities, which is to be expended in accordance with the Senate report. Other than salmon and right whales, the conferees expect that all activities will be kept at least at the fiscal year 1999 level, including Steller sea lion activities.

The conference agreement adds \$11,000,000 to the \$32,500,000 included in the previous conference report for the endangered species act recovery plan. The conferees expect these funds to be used for recovery plans for all endangered fish, marine mammals and sea turtles and not just for salmon in the northwest. In addition, the conferees expect NOAA to submit a staffing plan for the allocation of any new employees hired for this program in fiscal year 2000 and their proposed allocation by region.

**Native Marine Mammal Commissions.**—The conference agreement recommends that funding be distributed as follows: (1) \$400,000 for the Alaska Eskimo Whaling Commission; (2) \$150,000 for the Alaska Harbor Seal Commission; (3) \$225,000 for the Beluga Whale Committee; (4) \$50,000 for the Bristol Bay Native Association; and (5) \$125,000 for the Aleut Marine Mammal Commission.

**Observers and Training.**—The conference agreement distributes funding as follows: (1) \$425,000 for the North Pacific Fishery Observer Training Program; (2) \$1,875,000 for North Pacific marine resource observers; and (3) \$350,000 for east coast observers. Before initiating funding for a West Coast observer program, the conferees request that NMFS provide a report on the options for funding such a program, and include a comparison of how current programs in the North Pacific and the East Coast are funded with the proposal for the West Coast.

**Interstate Fish Commissions.**—The conference agreement includes \$7,750,000 for this activity, of which \$750,000 is to be equally divided among the three commissions, and \$7,000,000 is for implementation of the Atlantic Coastal Fisheries Cooperative Management Act.

**Fisheries Development Program.**—Within the amount provided for the Fisheries Development Program, funding for the administrative costs of the Fisheries Finance Program has been retained under this account, as provided in the House bill, instead of transferred to the Fisheries Finance Program account, as provided in the Senate bill. Language with respect to the administration of the Hawaiian Fisheries Development program and Hawaii Stock Enhancement included in the Senate report is adopted by reference.

**Other.**—In addition, within the funds available for the Saltonstall-Kennedy grants program, the conferees direct that funding be provided to the Alaska Fisheries Development Foundation to be used in accordance with the direction included in the Senate report, and that funds be provided pursuant to the direction included in both the House and Senate reports to support ongoing efforts related to *Vibrio vulnificus*.

#### OCEANIC AND ATMOSPHERIC RESEARCH

The conference agreement includes a total of \$300,502,000 for Oceanic and Atmospheric

Research activities, instead of \$260,560,000 as recommended by the House and \$319,910,000 as recommended by the Senate.

**Interannual and Seasonal Climate Research.**—The conferees have provided \$16,900,000 for interannual and seasonal climate research. Within this amount, the conference agreement provides \$2,000,000 to support climate and air quality monitoring and climatological modeling activities as described in the Senate report, and \$2,000,000 is provided for the Ocean Observations program, to be expended only if other countries involved in the project are also providing funding.

**Climate and Global Change Research.**—The conference agreement includes \$67,000,000 for the Climate and Global Change research program, an increase of \$4,000,000 above the amounts provided in fiscal year 1999. Of this amount, the conference agreement includes an increase of \$2,000,000 for the International Research Institute for Climate Prediction to fund planned modeling initiatives in water, agriculture, and public health, and will result in improved forecasting related to major climate events. Program increases of \$1,000,000 for the Variability Beyond ENSO and \$1,000,000 for Climate Forming Agents are also provided.

**Long-term Climate and Air Quality Research.**—The conference agreement provides \$30,000,000 for this activity, as proposed by the House, instead of \$32,000,000 as proposed by the Senate. Funding is distributed in the same manner as in fiscal year 1999. The conferees concur with language in the House report regarding research and a report on natural sources and removal for low-atmosphere ozone.

**GLOBE.**—A total of \$3,000,000 is provided for this program, instead of \$2,500,000 as proposed by the Senate. The House bill did not include funding for this program. NOAA is expected to comply with the direction included in the Senate report regarding this program.

**Atmospheric Programs.**—The conference agreement provides \$37,350,000 for the weather research activity. Of this amount \$1,500,000 is provided for research related to wind-profile data in accordance with the direction provided in the Senate report. In addition, \$1,000,000 is provided for the U.S. Weather Research Program for hurricane-related research. This funding is intended to be used for improvements in hurricane prediction, and is not intended as initial funding for a large-scale general research program under the U.S. Weather Research Program, which is primarily funded through other Federal agencies.

**STORM.**—The conference agreement includes \$2,000,000 as one-time funding for the Science Center for Teaching, Outreach and Research on Meteorology for the collection and analysis of weather data in the Midwest.

**Solar/Geomagnetic Research.**—The conference agreement includes \$7,000,000 for this activity, which includes \$6,000,000 for base programs, and \$1,000,000 for the study of radio propagation physics and technology development associated with satellite-based telecommunications, navigation, and remote sensing, as referenced in the Senate report.

**Marine Prediction Research.**—The conference agreement includes \$27,325,000 for marine prediction research. Within this amount, the following is provided: \$8,875,000 for the base program; \$1,650,000 for Arctic research, as directed in the House report; \$2,400,000 for the Open Ocean Aquaculture program; \$2,300,000 for tsunami mitigation; \$2,100,000 for the VENTS program; \$4,000,000 for continuation of the initiative on aquatic ecosystems recommended in the House report; \$1,650,000 for implementation of the National Invasive Species Act, of which \$850,000

is for the ballast water demonstration as directed in the Senate report; \$500,000 for support for the Gulf of Maine Council; \$2,000,000 for mariculture research; \$1,450,000 for ocean services; \$250,000 for the Pacific tropical fish program to be administered by HIEDA; and \$150,000 for Lake Champlain studies. Due to recently enacted changes in the National Sea Grant Program Authorization Act, future activities related to Lake Champlain are expected to be funded through the regular Sea Grant program.

**GLERL.**—Within the \$6,825,000 provided for the Great Lakes Environmental Research Laboratory, the conference agreement assumes continued support for the Great Lakes nearshore research and zebra mussel research programs at current levels.

**Sea Grant.**—The conference agreement appropriates \$59,250,000 for the National Sea Grant program, of which \$53,750,000 is for the base program, a \$1,550,000 base increase over fiscal year 1999. The conferees expect NOAA to continue to fund the existing oyster disease research programs at their current levels and the zebra mussel research program at \$3,000,000 within these amounts. The Sea Grant program and NMFS are urged to work with the West Coast Harmful Algal Bloom Workgroup to develop a research plan to address the causes of harmful algal blooms and a monitoring and prevention program.

**National Undersea Research Program (NURP).**—The conference agreement provides \$13,800,000 for the National Undersea Research Program (NURP). The conferees expect the funds to be distributed to the east coast NURP centers according to fiscal year 1999 allocations, and to the west coast centers according to fiscal year 1998 allocations. The conferees expect level funding will be made available for the Aquarius, ALVIN and program administration. The fiscal year 2000 amount above these distributions shall be equally divided between east and west coast NURP centers.

#### NATIONAL WEATHER SERVICE

The conference agreement includes a total of \$603,870,000 for the National Weather Service (NWS), instead of \$599,196,000 as proposed by the House, and \$620,138,000 as proposed by the Senate.

**Local Warnings and Forecasts/Base Operations.**—The amount provided includes \$444,487,000 for this activity, an increase of \$23,417,000 above the fiscal year 1999 level, including MARDI. All requested increases to base activities are provided, except for \$1,935,000 in non-labor cost increases and \$3,634,000 of the request to cover labor-cost deficiencies. The House and Senate Appropriations Committees expect that if the amount to cover labor-cost deficiencies is insufficient, NWS will submit a reprogramming. The conference agreement provides \$4,500,000 for mitigation activities, an increase of \$716,000 over fiscal year 1999. Increases for the Cooperative Observers Network and Aircraft Observations are not provided. Within the total amount provided for Local Warnings and Forecasts, \$1,522,000 is for NOAA weather radio transmitters to be distributed in accordance with the direction included in the House and Senate reports, except that the amount for Wyoming weather transmitters is \$200,000, and the amount for Illinois weather transmitters is \$650,000. The conference agreement includes \$513,000, as provided in the Senate report, for the creation of a fine-scale numerical weather analysis and prediction capability, as referenced in the House report. The conference agreement also includes funding, as requested, for data buoys and coastal marine automated network stations. Funding of \$3,250,000 for WFO maintenance is provided under this heading.

The conferees concur with the language in the House and Senate reports relating to the Modernization Transition Committee/mitigation process to address the adequacy of NEXRAD coverage in certain areas. NOAA is expected to follow the recommendations contained in reports or applicable agreements requiring mitigation activities. The conferees also reiterate language in the fiscal year 1999 conference agreement addressing continued radar obstruction at the Jackson NEXRAD facility.

In addition, the conferees expect the NWS to continue the activities of NOAA's Cooperative Institute for Regional Prediction related to the 2002 Winter Olympic games.

#### NATIONAL ENVIRONMENTAL SATELLITE, DATA AND INFORMATION SERVICE

The conference agreement includes \$111,085,000 for NOAA's satellite and data management programs. In addition, the conference agreement includes \$457,594,000 under the NOAA PAC account for satellite systems acquisition and related activities.

**Satellite Observing Systems.**—The conferees have included \$57,300,000 for this activity, the same amount and the same distribution as in fiscal year 1999. Funding for the wind demonstration project is to be provided in accordance with the Senate report.

**Environment Data Management.**—The conferees have included \$53,785,000 for EDMS activities. Under EDMS base activities, the conference agreement includes \$24,000,000, an increase of \$650,000, to be expended as directed in the House report. No funds are included to continue weather record rescue and preservation activities or the environmental data rescue program. The conference agreement includes \$500,000 for the Cooperative Observers Network modernization. In addition, \$4,000,000 is included for the Coastal Ocean Data Development Center, as referenced in the Senate report. In addition, the conferees have provided \$10,200,000 to initiate a new, multi-year program for climate database modernization and utilization, to include but not be limited to key entry of valuable climate records, archive services, and database development. The conferees note the Administration's recent initiatives in support of reinvestment in economically distressed communities within Appalachia and intend that work under this program must be performed by existing and experienced concerns currently located in the Appalachian counties of Laurel and Mineral, which are experiencing high unemployment and poverty. The conference agreement includes \$2,750,000 for the Regional Climate Centers.

#### PROGRAM SUPPORT

The conference agreement provides \$62,553,000 for NOAA program support, instead of \$54,594,000 as provided in the House bill, and \$72,887,000, as provided in the Senate bill. Included in this total is \$36,350,000 for Central Administrative Support, which is comprised of \$31,850,000 for base activities and \$4,500,000 for the Commerce Automated Management System.

#### FLEET PLANNING AND MAINTENANCE

The conference agreement includes an appropriation of \$13,243,000 for this activity, as recommended in the Senate bill, instead of \$7,000,000 included in the House bill. This amount includes \$1,000,000 for equipping the RAINIER and \$3,000,000 for NOPP-related activities.

#### FACILITIES

The conference agreement includes \$11,204,000 for facilities maintenance, lease costs, and environmental compliance, instead of \$10,165,000 as recommended in the House bill, and \$9,829,000 as recommended in the Senate bill. Included in this total is

\$3,850,000 in lease payments to the General Services Administration (GSA) for the new Boulder facility. The conferees are aware that the GSA is applying 8% return-on-investment pricing to determine the rent that NOAA pays for the facility, with the possibility that the percentage will increase significantly in future years. The conferees believe that this results in an excessive rental charge that is not justified by the facts, and that a fair and reasonable return would be 6.25% amortized over 30 years. NOAA is directed to provide to the House and Senate Committees on Appropriations at the earliest opportunity the options that exist to moderate the cost of rental payments, and to consult with the Committees on the next steps to take to assure that NOAA does not get saddled with an excessive rental payment.

#### PROCUREMENT, ACQUISITION AND CONSTRUCTION (INCLUDING TRANSFERS OF FUNDS)

The conference agreement includes a total of \$596,067,000 in direct appropriations for the Procurement, Acquisition and Construction account, and assumes \$7,400,000 in deobligations from this account. The following distribution reflects the fiscal year 2000 funding provided for activities within this account:

##### Systems Acquisition:

AWIPS .....	\$16,000,000
ASOS .....	3,855,000
NEXRAD .....	8,280,000
Computer Facilities Upgrades .....	11,100,000
Polar Spacecraft and Launching .....	190,979,000
Geostationary Spacecraft and Launching .....	266,615,000
Radiosonde Replacement .....	7,000,000
GFDL Supercomputer ....	5,000,000

Subtotal, Systems Acquisition .....	508,829,000
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##### Construction:

WFO Construction .....	9,526,000
NERRS Construction .....	13,250,000
N.Y. Botanical Gardens ..	1,500,000
Alaska Facilities .....	9,750,000
NORC Rehabilitation .....	3,045,000
Marine Sanctuaries Construction .....	3,000,000
Suitland Facility .....	3,000,000

Subtotal, Construction .....	43,071,000
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##### Fleet Replacement:

Fishery Vessel .....	51,567,000
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Subtotal, Fleet Replacement .....	51,567,000
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**Systems Acquisition.**—The conference agreement provides \$16,000,000 to initiate AWIPS Build 5.0. NWS is requested to provide quarterly reports on the status of the project, progress in meeting milestones, amount expended to date, expected overall cost, and problems encountered.

**Construction.**—The funds appropriated for the National Estuarine Research Reserve construction are to be distributed as follows: \$6,000,000 is for overall NERRS requirements, \$4,000,000 is for the Great Bay NERR, \$2,500,000 is for the Kachemak Bay NERR, the latter two as recommended in the Senate report, and \$750,000 is for the Jacques Cousteau NERR. The funds appropriated for Alaska facilities are to be distributed as follows: \$750,000 is for the Juneau Lab, \$3,500,000 is for Ship Creek, and \$5,500,000 is for the SeaLife Center. The conference agreement provides \$3,000,000 for preliminary design work for a new building in the Suitland Federal Center to be built by the General Serv-

ices Administration. Prior to obligating these funds, the conferees expect NOAA to provide a report detailing the total estimated cost of the new building, including a breakout by fiscal year of the amounts proposed to be paid by both the GSA and NOAA, as well as a recapitulation of the options that were considered in reaching a decision on the proposed facility, and then consult with the Committees on the report.

The conferees are also interested in receiving a report on any planning for new space related to other facilities in the area by January 15, 2000.

#### PACIFIC COASTAL SALMON RECOVERY

In addition to \$20,000,000 provided elsewhere in this bill for initial capital for implementation of the 1999 Pacific Salmon agreement, the conference agreement includes \$58,000,000 for salmon habitat restoration, stock enhancement, and research. Of this amount, \$18,000,000 is provided to the State of Washington, \$14,000,000 is provided to the State of Alaska, \$9,000,000 is provided to the State of Oregon, and \$9,000,000 is provided to the State of California. In addition, \$6,000,000 is provided to the Pacific Coastal tribes (as defined by the Secretary of Commerce) and \$2,000,000 is provided to Columbia River tribes.

The States of Alaska, Oregon, and California, and the tribes are strongly encouraged to each enter into a Memorandum of Understanding (MOU) with NMFS regarding projects funded under this section. The MOU should not require federal approval of individual projects, but should define salmon recovery strategies. All states and tribes that receive funding shall report to the Secretary of Commerce, the Senate and House Committees on Appropriations, the Senate Committee on Commerce, Science, and Transportation, and the House Committee on Resources on progress of salmon recovery efforts funded under this heading by not later than September 1, 2000.

The 1999 Pacific Salmon Treaty Agreement provides a comprehensive, coastwide conservation program for the protection of Pacific salmon, including domestic and Canadian fisheries. In particular, it provides significant harvest reductions in Alaska below previous restrictions implemented in 1985 and 1995, each of which further reduced the impact of Alaska's fisheries on listed stocks. Therefore, any recovery efforts shall not be based on or anticipate exploitation rates in Alaska not included in the 1999 Agreement, but should include other quantifiable goals and objectives, such as escapement and production, required for the recovery of listed salmon.

The conference agreement provides \$18,000,000 for the State of Washington which is to be provided directly to the Washington State Salmon Recovery Board to distribute for salmon habitat projects, other salmon recovery activities, and to implement the Washington Forest and Fish Agreement authorized by the Washington State Legislature. The conferees urge, with input from the Board, local governments, local watershed organizations, tribes, and other interested parties, that clear, scientifically-based goals and objectives for salmon recovery in Washington State be established by NMFS and be rendered in the form of numerical goals and objectives for the recovery of each species of salmon listed under the Endangered Species Act in Washington State. The conferees expect such goals and objectives to specify the outcome to be achieved for the salmon resource in order to satisfy the requirements of the Endangered Species Act. The conferees anticipate that by July 1, 2000, NMFS will have established numerical goals and objectives for the recovery of salmon in the

Puget Sound ESU, and will have produced a schedule for completion of numerical goals and objectives for all other parts of the State. The conferees expect that the Board will establish performance standards to inform its project funding decisions, and will give due deference to the project prioritization work being performed by local watershed organizations. Entities eligible to receive federal funds for salmon recovery projects and activities from the Board include local governments, tribes, and non-profit organizations, such as the Puget Sound Foundation. Funds appropriated by this Act may be distributed by the Board on a project-by-project basis or advanced in the form of block grants. Not more than one percent of these federal funds shall be used for the Board's administrative expenses, and not more than one percent of the remaining federal monies distributed by the Board for habitat projects and recovery activities shall be used by the eligible entities for administrative expenses. None of the \$18,000,000 shall be used for the buy back of commercial fishing licenses or vessels. Nothing in this Act shall impair the authority of the Board to expend funds appropriated to it by the Washington State Legislature. Funds provided to tribes in Washington State from the \$8,000,000 appropriated for Pacific Coastal and Columbia River Tribes shall be used only for grants for planning (not to exceed 10 percent of any grant), physical design, and completion of restoration projects.

The funds provided for salmon and steelhead recovery efforts in the State of Oregon shall be provided to the Oregon Watershed Enhancement Board (OWEB). The OWEB shall provide funding for salmon recovery projects and activities including planning, monitoring, habitat restoration and protection, and improving State and local council capacity to implement local projects which directly support salmon recovery.

#### COASTAL ZONE MANAGEMENT FUND

The conference agreement includes an appropriation of \$4,000,000, as provided in both the House and the Senate bills. This amount is reflected under the National Ocean Service within the Operations, Research, and Facilities account.

PROMOTE AND DEVELOP FISHERY PRODUCTS AND RESEARCH PERTAINING TO AMERICAN FISHERIES

#### FISHERIES PROMOTIONAL FUND (RESCISSION)

The conference agreement includes a rescission of all unobligated balances available in the Fisheries Promotional Fund, as provided in the House bill. The Senate bill included a rescission of \$1,187,000 from this Fund.

#### FISHERMEN'S CONTINGENCY FUND

The conference agreement includes \$953,000 for the Fishermen's Contingency Fund, as provided in both the House and Senate bills.

#### FOREIGN FISHING OBSERVER FUND

The conference agreement includes \$189,000 for the expenses related to the Foreign Fishing Observer Fund, as provided in both the House and Senate bills.

#### FISHERIES FINANCE PROGRAM ACCOUNT

The conference agreement provides \$338,000 in subsidy amounts for the Fisheries Finance Program Account, instead of \$238,000 as provided in the House bill and \$2,038,000 as provided in the Senate bill. The Senate provision included \$1,700,000 for administrative costs of the program, which the conference agreement provides under the Operations, Research and Facilities account, as provided in the House bill. The agreement includes \$100,000 above the House level to continue entry level and small vessel Individual Fish-

ery Quota obligation guarantees in the halibut and sablefish fisheries as recommended in the Senate report.

#### GENERAL ADMINISTRATION SALARIES AND EXPENSES

The conference agreement includes \$31,500,000 for the general administration of the Commerce Department, instead of \$30,000,000, as proposed in the House bill, and \$34,046,000, as proposed in the Senate bill. The conferees concur with language in the House report concerning office moves and the Working Capital Fund, and with language in the Senate report concerning the Senior Executive Service "Commerce 2000" initiative.

#### OFFICE OF INSPECTOR GENERAL

The conference agreement includes \$20,000,000 for the Commerce Department Inspector General, instead of \$22,000,000 as recommended in the House bill and \$17,900,000 as recommended in Senate bill.

#### GENERAL PROVISIONS—DEPARTMENT OF COMMERCE

The conference agreement includes the following general provisions for the Department of Commerce:

*Section 201.*—The conference agreement includes section 201, included in the House and Senate bills, regarding certifications of advanced payments.

*Sec. 202.*—The conference agreement includes section 202, identical in the House and Senate bills, allowing funds to be used for hire of passenger motor vehicles.

*Sec. 203.*—The conference agreement includes section 203, identical in the House and Senate bills, prohibiting reimbursement to the Air Force for hurricane reconnaissance planes.

*Sec. 204.*—The conference agreement includes section 204, as proposed in the House bill, prohibiting funds from being used to reimburse the Unemployment Trust Fund for temporary census workers. The Senate bill included a provision prohibiting reimbursements in relation to the 1990 decennial census.

*Sec. 205.*—The conference agreement includes section 205, identical in the House and Senate bills, regarding transfer authority between Commerce Department appropriation accounts.

*Sec. 206.*—The conference agreement includes section 206, providing for the notification of the House and Senate Committees on Appropriations of a plan for transferring funds to appropriate successor organizations within 90 days of enactment of any legislation dismantling or reorganizing the Department of Commerce, as proposed in the House bill. The Senate bill did not contain a provision on this matter.

*Sec. 207.*—The conference agreement includes section 207, included in both the House and Senate bills, requiring that any costs related to personnel actions incurred by a department or agency funded in title II of the accompanying Act, be absorbed within the total budgetary resources available to such department or agency.

*Sec. 208.*—The conference agreement includes section 208, as proposed in both the House and Senate bills, allowing the Secretary to award contracts for certain mapping and charting activities in accordance with the Federal Property and Administrative Services Act.

*Sec. 209.*—The conference agreement includes section 209, as proposed in both the House and Senate bills, allowing the Department of Commerce Franchise Fund to retain a portion of its earnings from services provided.

*Sec. 210.*—The conference agreement includes section 210, as proposed in the Senate

bill, to increase the total number of members of the New England Fishery Management Council and the number appointed by the Secretary of Commerce by one member. The House bill did not contain a provision on this matter.

*Sec. 211.*—The conference agreement includes a new section 211, which makes funds provided under the National Institute of Standards and Technology, Construction of Research Facilities, available for a medical research facility and two information technology facilities.

#### TITLE III—THE JUDICIARY

##### SUPREME COURT OF THE UNITED STATES SALARIES AND EXPENSES

The conference agreement includes \$35,492,000 for the salaries and expenses of the Supreme Court, instead of \$35,041,000, as provided in the House bill and \$35,903,000 as provided in the Senate bill. Funding for the cost of living increase for the Justices is provided in section 304.

##### CARE OF THE BUILDING AND GROUNDS

The conference agreement includes \$8,002,000 for the Supreme Court Care of the Building and Grounds account, instead of \$6,872,000 as provided in the House bill and \$9,652,000, as provided in the Senate bill. This is the amount the Architect of the Capitol currently estimates is required for fiscal year 2000, including building renovations and perimeter security. The conference agreement allows \$5,101,000 to remain available until expended, instead of \$3,971,000, as provided in the House bill, and \$6,751,000, as provided in the Senate bill. Senate report language related to off-site facility planning and House report language related to miscellaneous improvements is adopted by reference.

##### UNITED STATES COURT OF APPEALS FOR THE FEDERAL CIRCUIT

##### SALARIES AND EXPENSES

The conference agreement includes \$16,797,000 for the U.S. Court of Appeals for the Federal Circuit, instead of \$16,101,000 as provided in the House bill and \$16,911,000 as provided in the Senate bill. This provides funding for base adjustments and for three additional assistants, assuming they are hired at mid-year. Funding for the cost of living increase for federal judges is provided in section 304.

##### UNITED STATES COURT OF INTERNATIONAL TRADE

##### SALARIES AND EXPENSES

The conference agreement includes \$11,957,000 for the U.S. Court of International Trade, as provided in the Senate bill, instead of \$11,804,000, as provided in the House bill. Funding for the cost of living increase for federal judges is provided in section 304.

##### COURTS OF APPEALS, DISTRICT COURTS, AND OTHER JUDICIAL SERVICES

##### SALARIES AND EXPENSES

The conference agreement provides \$3,114,677,000 for the salaries and expenses of the federal judiciary, of which \$156,539,000 is provided from the Violent Crime Reduction Trust Fund (VCRTF), instead of \$3,066,677,000, including \$156,539,000 from the VCRTF, as provided in the House bill, and \$2,992,265,000, including \$100,000,000 from the VCRTF, as provided in the Senate bill. Funding for the cost of living increase for federal judges is provided in section 304.

The conference agreement allows \$13,454,000 for space alterations, to remain available until expended, as provided in the House bill, instead of \$19,150,000, as provided in the Senate bill.

House report language with respect to funding for new judgeships is adopted by reference.

The conference agreement also provides \$2,515,000 from the Vaccine Injury Compensation Trust Fund for expenses associated with the National Childhood Vaccine Injury Act of 1986, as provided in the Senate bill, instead of \$2,138,000, as provided in the House bill.

#### DEFENDER SERVICES

The conference agreement includes \$385,095,000 for the federal judiciary's Defender Services account, of which \$26,247,000 is provided from the Violent Crime Reduction Trust Fund (VCRTF), instead of \$387,795,000, including \$26,247,000 from the VCRTF, as provided in the House bill, and \$353,888,000 in direct funding, as provided in the Senate bill. This includes funding for an increase of \$5 an hour for in-court and out-of-court time for Criminal Justice Act panel attorneys.

Language relating to the Ninth Circuit in the House report is adopted by reference.

#### FEES OF JURORS AND COMMISSIONERS

The conference agreement includes \$60,918,000 for Fees of Jurors and Commissioners, as proposed in the Senate bill, instead of \$63,400,000 as provided in the House bill. The amount provided reflects the latest estimate from the judiciary of the requirements for this account.

#### COURT SECURITY

The conference agreement includes \$193,028,000 for the federal judiciary's Court Security account, instead of \$190,029,000, as proposed in the House bill, and \$196,026,000, as proposed in the Senate bill.

The recommendation provides for requested adjustments to base, the requested program increases to hire additional security officers and for perimeter security, and the balance for additional security equipment. The language in the House report related to a report on changes in security officer staffing and equipment is adopted by reference.

The conference report allows \$10,000,000 in security system funding to remain available until expended, as proposed in the House bill, instead of \$10,000,000 for any purpose under this heading, as proposed in the Senate bill.

#### ADMINISTRATIVE OFFICE OF THE UNITED STATES COURTS

##### SALARIES AND EXPENSES

The conference agreement includes \$55,000,000 for the Administrative Office of the United States Courts, instead of \$54,500,000, as proposed by the House, and \$56,054,000, as proposed by the Senate.

Language in the House report relating to the Optimal Utilization of Judicial Resources report and court interpreter standards is adopted by reference.

The conference agreement provides \$8,500 for reception and representation expenses, instead of \$7,500 as proposed in the House bill, and \$10,000 as proposed in the Senate bill.

#### FEDERAL JUDICIAL CENTER SALARIES AND EXPENSES

The conference agreement includes \$18,000,000 for the fiscal year 2000 salaries and expenses of the Federal Judicial Center, instead of \$17,716,000 as proposed in the House bill and \$18,476,000 as proposed in the Senate bill.

#### JUDICIAL RETIREMENT FUNDS

##### PAYMENT TO THE JUDICIARY TRUST FUNDS

The conference agreement includes \$39,700,000 for payment to the various judicial retirement funds as provided in both the House and Senate bills.

#### UNITED STATES SENTENCING COMMISSION SALARIES AND EXPENSES

The conference agreement includes \$8,500,000 for the U.S. Sentencing Commis-

sion, as provided in the House bill, instead of \$9,743,000 as provided in the Senate bill. Additional funds are available from carryover and from the Judiciary automation fund. There continues to be substantial uncertainty as to the requirements for the Commission in fiscal year 2000, but should the situation clarify, the conferees believe there is flexibility in the Judiciary appropriation to address any resulting additional requirements.

#### GENERAL PROVISIONS—THE JUDICIARY

**Section 301.**—The conference agreement includes a provision included in both the House and Senate bills allowing appropriations to be used for services as authorized by 5 U.S.C. 3109.

**Sec. 302.**—The conference agreement includes a provision, as included in the House bill, providing the Judiciary with the authority to transfer funds between appropriations accounts but limiting, with certain exceptions, any increase in an account to 10 percent, instead of the Senate provision which would have limited the increase to 20 percent.

**Sec. 303.**—The conference agreement includes a provision allowing up to \$11,000 of salaries and expenses funds provided in this title to be used for official reception and representation expenses of the Judicial Conference of the United States, instead of \$10,000 as proposed in the House bill, and \$12,000 as proposed in the Senate bill.

**Sec. 304.**—The conference agreement includes a provision, as proposed in the Senate bill, authorizing federal judges to receive a salary adjustment and appropriating \$9,611,000 for the cost of the salary adjustment for all accounts under this title. The House bill did not include a similar provision.

**Sec. 305.**—The conference agreement includes a provision, as proposed in the Senate bill, amending title 28 of the U.S. Code to authorize the Director of the Administrative Office of the Courts to pay any increases in the cost of Federal Employees' Group Life Insurance imposed after April 24, 1999. The House bill did not include a similar provision.

**Sec. 306.**—The conference agreement includes a provision, included in the Senate bill, authorizing Central Islip, New York, as a place of holding court. The House bill did not include a similar provision.

**Sec. 307.**—The conference agreement includes a provision, included in the Senate bill, approving consolidation of Court Clerks' Offices in the Southern District of West Virginia. The House bill did not include a similar provision.

**Sec. 308.**—The conference agreement includes a provision, included in the Senate bill, modifying the circumstances under which attorneys' fees in Federal capital cases can be disclosed. The House bill did not include a similar provision.

**Sec. 309.**—The conference agreement includes a new provision authorizing nine district judgeships in Arizona, the Middle District of Florida, and Nevada.

#### TITLE IV—DEPARTMENT OF STATE AND RELATED AGENCY DEPARTMENT OF STATE

##### ADMINISTRATION OF FOREIGN AFFAIRS DIPLOMATIC AND CONSULAR PROGRAMS

The conference agreement includes a total of \$2,823,825,000 for Diplomatic and Consular Programs, instead of \$2,726,825,000 as included in the House bill and \$2,671,429,000 as included in the Senate bill. The conference agreement includes \$2,569,825,000 for ongoing activities under this account, and an additional \$254,000,000 to remain available until expended for worldwide security upgrades.

The conference agreement includes language not included in either the House or Senate bills making fees collected in fiscal year 2000 relating to affidavits of support available until expended.

The conference agreement includes language designating \$236,291,000 for public diplomacy international information programs instead of \$306,057,000 as proposed in the House bill. The Senate bill did not contain a similar provision. This amount represents current services funding for program activities previously carried out by USIA, and includes the program and personnel costs associated with former USIA activities. The amount specified in the House bill included \$59,247,000 in ICASS costs, and \$10,519,000 for other overseas support costs. The conferees have excluded these support costs from the amount separately designated for public diplomacy international information programs.

The conference agreement includes language making available \$500,000 for the National Law Center for Inter-American Free Trade, as provided in the Senate bill. The House bill did not include a similar provision.

The conference agreement includes language transferring \$1,162,000 to the Presidential Advisory Commission on Holocaust Assets in the United States, as proposed in the House bill. Language is also included limiting the amount transferred from all Federal sources to the authorized amount. The Senate bill did not include a similar provision.

The conference agreement includes language making \$2,500,000 available for overseas continuing language education, instead of \$5,000,000 as proposed in the Senate bill. The House bill did not include a similar provision.

The conference report also includes a provision to collect and deposit as an offsetting collection to this account Machine Readable Visa fees in fiscal years 2000 and 2001 to recover authorized costs. The Senate bill included a similar provision but would have made it permanent. The House bill did not include a provision on this matter. The conference agreement does not include a provision in the House bill limiting the use of Machine Readable Visa fees to \$267,000,000 in fiscal year 2000. The Senate bill did not contain a similar provision.

The conference agreement includes language designating \$10,000,000 for activities associated with the implementation of the Pacific salmon treaty. The conference agreement does not include language that this funding must be designated from within amounts available for the Bureau of Oceans and International Environment and Scientific Affairs, as proposed in the Senate bill. The House bill did not contain a similar provision.

The conference agreement includes \$9,000,000 for the Office of Defense Trade Controls, instead of \$11,000,000 as proposed in the Senate bill. The House bill did not have a similar provision. House report language directed the Department to maintain the increased fiscal year 1999 funding level for the Office. The conferees expect that increased funding for this Office will result in increased scrutiny of export license applications, enhanced end-use monitoring, and stronger compliance enforcement measures to ensure that U.S. technology is properly safeguarded when exported.

The conference agreement also includes language allowing the transfer of not to exceed \$4,500,000 to the International Broadcasting Operations account only to avoid reductions in force at the Voice of America.

The conference agreement does not include a provision transferring \$13,500,000 to the

East-West Center, a provision making \$6,000,000 available for overseas representation, a provision making \$125,000 available for the Maui Pacific Center, or provisions placing limitations on details of State Department employees to other agencies or organizations. These provisions were proposed in the Senate bill, and the House bill did not contain similar provisions.

The conference agreement does not include funding for any program increases requested by the Department. Within the amount provided, and including any savings the Department identifies, the Department will have the ability to propose that funds be used for purposes not funded by the conference agreement, including high priority program increases such as China 2000 and a Hispanic and minority recruitment initiative, through the normal reprogramming process. The conferees agree that no funds shall be used for the requested market development pilot project. With respect to China 2000, it is expected that the Department will comply with program direction in the Senate report regarding information resource center upgrades.

The conference agreement includes \$42,000,000, of which not to exceed \$5,000,000 is for costs related to the WTO Ministerial in Seattle and the balance is for costs of additional staffing and support costs related to increased diplomatic activity in the Kosovo region. The Department may also use funding under this account for the participation costs of official delegates to the WTO Ministerial.

The conferees agree that the Department shall follow the program direction and reporting requirements related to worldwide security in both the House and Senate reports. The language in the House report under this heading is to be followed in expending fiscal year 2000 funds, including language on the Advisory Commission on Public Diplomacy, the implementation of Public Law 105-319, and on specific reporting requirements, including a report on compensation provided to the families of the Americans killed in the terrorist bombing of the U.S. Embassy in Nairobi. In addition, this statement of managers adopts by reference the provisions in the Senate report addressing the Arctic Council and the Bering Straits Commission.

The conference agreement does not adopt Senate report language on arms control treaty verification technology, and staffing levels in Berlin and Beijing.

The conferees agree that the Department shall report to the Committees, no later than January 15, 2000, on the Department's plan for implementing recommendations in OIG Memorandum Report 99-SP-013 regarding foreign service tour length, and on the Bureau of Consular Affairs' plan to manage issues related to the entry into the United States of foreign nationals for the 2002 Winter Olympic Games.

The conferees are concerned with what appears to be a large number of State Department employees staffing the Office of the Secretary and the Bureau of Legislative Affairs. The conferees believe the Secretary should be served by the best possible insight and advice, and it is important that potentially overlapping responsibilities among the regional and functional bureaus and the "Secretariat" do not produce a confusion of voices on key policy issues. Similarly, the conferees are concerned that unclear lines of responsibility and authority between the Bureau of Legislative Affairs and the various Congressional affairs offices in the regional and functional bureaus have resulted in confused or incomplete liaison with Congress. As a result, the conferees direct the Department to undertake staffing reassessments in

these two offices. The Department should develop a plan to streamline staffing authorities and responsibilities and to rationalize the inclusion of staff and functions from USIA and ACDA, and report to the Committees on Appropriations no later than January 15, 2000.

#### CAPITAL INVESTMENT FUND

The conference agreement includes \$80,000,000 for the Capital Investment Fund, the amount included in the House bill, instead of \$50,000,000 as proposed in the Senate bill. The provisions in the House report are adopted by reference.

#### OFFICE OF INSPECTOR GENERAL

The conference agreement includes \$27,495,000 for the Office of Inspector General, which has jurisdiction over the Department of State and the Broadcasting Board of Governors, instead of \$28,495,000 as proposed in the House bill and \$26,495,000 as proposed in the Senate bill. The conferees expect that within the funds provided, the Inspector General will continue the current level of security-related audit and oversight activity. The conferees encourage the Inspector General to exercise appropriate oversight over the International Commissions and international broadcasting entities funded under this title.

#### EDUCATIONAL AND CULTURAL EXCHANGE PROGRAMS

The conference agreement includes \$205,000,000 for Educational and Cultural Exchange Programs of the Department of State, instead of \$175,000,000 as proposed in the House bill and \$216,476,000 as proposed in the Senate bill. The conference agreement also provides that not to exceed \$800,000 may be credited to this appropriation from fees and other payments.

The availability of significant carryover and recovered funds in this account is noted, and the Department is directed to submit a proposed distribution of the total resources available under this account no later than December 31, 1999, through the normal reprogramming process. The conferees intend that the distribution of funds under this account shall support, to the maximum extent possible, Fulbright Scholarship Programs, Humphrey Fellowships, educational advising and counseling, Citizen Exchange Programs, Pepper Scholarships, the Regional Scholar Exchange Program, the Disability Exchange Clearinghouse, the National Youth Science Camp, and exchanges with Tibet, the South Pacific, and East Timor. Such a distribution shall also include funding at not less than the amounts designated for the following programs: \$42,800,000 for the International Visitor Program; \$2,656,000 for English language programs; \$2,000,000 for American Overseas Research Centers; and \$4,000,000 for Muskie Fellowships. To the extent that the Department allocates resources to civic education programs, these programs shall be separately identified and explained in the reprogramming submission.

The conferees agree that enabling Muskie Fellowship Program participants to undertake doctoral graduate study in the social sciences, including economics, in universities in the United States is an appropriate extension of this program. Therefore, the conferees recommend that funding be provided for not more than thirty percent of the program participants to pursue Ph.D. programs. As a condition of participation in the doctoral program, fellows shall perform one year of service in their home countries for every year their study is supported by this program. The conferees expect that not less than thirty percent of each participant's doctoral study be funded from non-Federal sources.

In addition, the conference agreement includes: \$2,400,000 for Congress-Bundestag Youth Exchanges; \$2,200,000 for Mansfield Fellowships; \$100,000 for the Montana Technical Foreign Exchange Program; \$400,000 for the Institute for Representative Government; \$500,000 for the Irish Institute; \$638,000 for the 2001 Special Olympic Winter Games; \$500,000 for Olympic and Paralympic Games Youth Camps; and \$150,000 for Inter-parliamentary Exchanges with Korea and China.

The statement of managers adopts by reference language in the House report on NIS exchanges, the number of Congress-Bundestag Youth Exchanges, competition for grant programs, and cooperation between the State Department and non-governmental exchange organizations, as well as language in the Senate report on the U.S./Mexico Conflict Resolution Center.

#### REPRESENTATION ALLOWANCES

The conference agreement includes \$5,850,000 for Representation Allowances, as proposed in the Senate bill, instead of \$4,350,000 as proposed in the House bill.

#### PROTECTION OF FOREIGN MISSIONS AND OFFICIALS

The conference agreement includes \$8,100,000 for Protection of Foreign Missions and Officials, as provided in both the House and Senate bills. The provisions in both the House and Senate reports are adopted by reference.

#### SECURITY AND MAINTENANCE OF UNITED STATES MISSIONS

The conference agreement includes \$742,178,000 for this account instead of \$717,178,000 as proposed in the House bill and \$583,496,000 as proposed in the Senate bill.

The conference agreement includes \$313,617,000 for the costs of worldwide security upgrades, including \$300,000,000 for capital security projects, as proposed in the House bill. The conferees direct the Department to comply with the program direction related to security upgrades in the House report, including the submission of a spending plan within sixty days of the date of enactment of this Act. In proposing such a spending plan, the conferees direct the Department to include an assessment of the need for security upgrades related to housing, schools, and Marine quarters, as described in the Senate report.

The conference agreement includes \$25,657,000 in capital program activities for the costs of pending projects in Chengdu, Shenyang and Guangzhou.

The conferees note that the budget request included planned expenditures of \$92,500,000 from proceeds of sale of surplus property for opportunity purchases and capital projects. The conferees expect the Department to submit a spending plan for these funds that includes: at least \$42,500,000 for opportunity purchases to replace uneconomical leases; at least \$25,000,000 for capital security projects; and \$5,000,000 for Taiwan design costs. Any additional use of these funds is subject to reprogramming.

The conferees are aware that high operating costs in Paris have prompted a review of the post with the intent of transferring personnel and functions to lower cost cities. The conferees direct the Department to review the operations of the Paris Financial Service Center and determine if any services could be performed in the United States at the Charleston Financial Service Center. The Department shall develop plans to transfer any such services to the United States consistent with the Department's overall financial systems improvement schedule and on a time line that is cost effective. A progress report on Financial Service Center

consolidation shall be submitted to the House and Senate Appropriations Committees not later than June 1, 2000.

The conferees are aware the Department is projecting a need for diversity visa processing capacity, and expect the Department to implement plans for a facility to meet such a need in a State previously designated for the purpose of passport processing.

The Department is directed to submit, and receive approval for, a financial plan for the funding provided under this account, whether from direct appropriations or proceeds of sales, prior to the obligation or expenditure of funds for capital and rehabilitation projects. The conferees expect that the amount in the plan for the leasehold program will not exceed \$138,210,000. The Department may include in the plan the costs of physical security upgrades including the costs of expanding Marine posts to new locations. The conferees agree that any such amount for expanding Marine posts to new locations shall not exceed half the total costs, in accordance with the existing cost-sharing arrangement.

The overall spending plan shall include project-level detail, and shall be provided to the Appropriations Committees not later than 30 days after the date of enactment of this Act. Any deviation from the plan after approval shall be treated as a reprogramming in the case of an addition greater than \$500,000 or as a notification in the case of a deletion, a project cost overrun exceeding 25 percent, or a project schedule delay exceeding 6 months. Notification requirements also extend to the rebaselining of a given project's cost estimate, schedule, or scope of work.

The conferees agree that no additional funding shall be allocated in fiscal year 2000 for the ongoing rehabilitation of the Ambassador's residence in London.

The conferees direct the Department to submit to the Committees a plan to implement the September 1998 recommendation of the Inspector General to sell a certain property in France, referenced in the Senate report.

As in the past, immediate notification is expected if there are facilities that the Department believes pose serious security risks.

#### EMERGENCIES IN THE DIPLOMATIC AND CONSULAR SERVICE

The conference agreement includes \$5,500,000 for Emergencies in the Diplomatic and Consular Service account, as provided in the House bill, instead of \$7,000,000, as provided in the Senate bill. The conference agreement does not adopt the provision in the Senate report designating not more than \$5,000,000 under this account for costs associated with the World Trade Organization conference in Seattle, Washington. The conferees address funding for these costs under the Diplomatic and Consular Programs account.

#### REPATRIATION LOANS PROGRAM ACCOUNT

The conference agreement includes a total appropriation of \$1,200,000 for the Repatriation Loans Program account, as provided in both the House and Senate bills.

#### PAYMENT TO THE AMERICAN INSTITUTE IN TAIWAN

The conference agreement includes \$15,375,000 for the Payment to the American Institute in Taiwan account, instead of \$14,750,000 as proposed in the House bill and \$16,000,000 as proposed in the Senate bill. Increased funding over the fiscal year 1999 level may be used for costs of security upgrades as described in the Senate report. The conferees expect the Department to submit a spending plan to the Committees, as indicated in the House report.

#### PAYMENT TO THE FOREIGN SERVICE RETIREMENT AND DISABILITY FUND

The conference agreement includes \$128,541,000 for the Payment to the Foreign Service Retirement and Disability Fund account, as provided in both the House and Senate bills.

#### INTERNATIONAL ORGANIZATIONS AND CONFERENCES

##### CONTRIBUTIONS TO INTERNATIONAL ORGANIZATIONS

The conference agreement includes \$885,203,000 for Contributions to International Organizations to pay the costs assessed to the United States for membership in international organizations, instead of \$842,937,000 as proposed in the House bill, and \$943,308,000 as proposed in the Senate bill, of which \$836,308,000 was for current year assessments, and \$107,000,000 was for payment of arrearages to the United Nations. The conference agreement includes all arrearage payments under a separate account.

The conference agreement includes language providing that none of the funds can be used for the U.S. share of interest costs for loans incurred after October 1, 1984 through external borrowings, as provided in the House bill. The Senate bill did not contain a similar provision.

The conference agreement includes language providing that funds under this account may be used to pay the full United States assessment to the NATO civil budget, as proposed in the House bill. The Senate bill did not contain a similar provision.

The conference agreement does not include a provision making \$100,000,000 available only upon certifications that the United Nations is staying within a zero nominal growth budget for both the 1998-1999 and 2000-2001 biennial budgets, as proposed in the House bill. The conferees expect that the Department will make every effort to ensure that the United Nations stays within the expected 1998-1999 budget of \$2,533,000,000 and accomplishes a zero nominal growth 2000-2001 budget at the United Nations General Assembly meeting in December 1999. The Department shall report to the Committees on these efforts by January 15, 2000.

The conference agreement does not contain a number of provisions in the Senate bill relating to payment of arrearages. Arrearages are addressed in a separate account.

The \$885,203,000 provided by the conference agreement is expected to be sufficient to fully pay assessments to international organizations. With excess fiscal year 1999 funds, including a transfer from the Contributions for International Peacekeeping account, the conferees expect the Department to prepay \$47,040,000 of the fiscal year 2000 assessment for the United Nations regular budget. Consequently, although the budget requested \$963,308,000 for this account, based on the prepayment of U.N. assessments and further exchange rate gains, the adjusted request is \$885,842,000. The conference agreement does not include requested funding for the Inter-American Indian Institute, the Inter-parliamentary Union, and the Bureau of International Expositions.

The conference agreement provides funding under this account for assessments for all international organizations. The Senate report proposed to transfer funding for commodity-based organizations to the Commerce Department and funding for the International Telecommunications Union to the Federal Communications Commission. The conferees direct the Department to take the necessary steps to ensure that full and timely payments are made to these organizations.

Provisions in the House report relating to reports on reforms in international organiza-

tions, tax equalization adjustments, and the Pan American Health Organization are adopted by reference.

#### CONTRIBUTIONS FOR INTERNATIONAL PEACEKEEPING ACTIVITIES

The conference agreement provides \$500,000,000 for Contributions for International Peacekeeping Activities instead of \$200,000,000 as proposed in the House bill, and \$387,925,000 as proposed in the Senate bill, of which \$143,925,000 was for payment of current year peacekeeping assessments and \$244,000,000 was for payment of peacekeeping arrearages. The conference agreement addresses arrearages under a separate account.

The conference agreement includes a provision that, of the total funding provided under this heading, not to exceed \$20,000,000 shall remain available until September 30, 2001. The Senate bill made \$28,093,000 available until September 30, 2001 and the House bill had no provision on the matter. The conferees intend that before any excess funding shall be carried over into fiscal year 2001 in this account, the Department shall transfer the maximum allowable amount to the Contributions to International Organizations account to prepay the fiscal year 2001 assessment for the United Nations regular budget.

The conference agreement includes a provision that prohibits obligation or expenditure of funds for new or expanded U.N. peacekeeping missions unless, at least 15 days prior to the Security Council vote, the appropriate Committees of the Congress are notified of the estimated cost and length of the mission, the vital national interest that will be served, and the planned exit strategy; and a reprogramming of funds is submitted setting forth the source of funds that will be used to pay for the cost of the new or expanded mission, as included in the House bill. The Senate bill did not contain a provision on this matter.

The conference agreement contains a provision requiring a certification that American manufacturers and suppliers are being given opportunities to provide equipment, services, and material for U.N. peacekeeping activities equal to those being given to foreign manufacturers and suppliers, as provided in the House bill. The Senate bill did not contain a provision on this matter.

In addition, the conference agreement includes a provision prohibiting funds from being used to pay the United States share of the cost of judicial monitoring that is part of any United Nations peacekeeping mission, as proposed in the House bill. Thus, if any current or future peacekeeping operation includes judicial monitoring as one of its functions, the U.S. will have to withhold its proportionate share of the cost of any court monitoring that is included in such a mission. This provision was not included in the Senate bill.

The conference agreement does not include several provisions relating to arrearages that were included in the Senate bill, as arrearages are addressed under a separate account.

The conference agreement includes funding for anticipated assessments for peacekeeping missions including those in the Golan Heights, Lebanon, Iraq/Kuwait, Bosnia-Herzegovina, Cyprus, Georgia, Tajikistan, as well as War Crimes Tribunals for Yugoslavia and Rwanda. The conference agreement does not include requested funding for missions in Western Sahara or Haiti. The conference agreement includes additional resources, which may be applied to additional assessments subject to reprogramming requirements. The conferees are aware that additional assessments are expected in fiscal year 2000 for new and expanded peacekeeping missions, including those in Kosovo, Sierra Leone and East Timor.



The statement of managers adopts by reference language in the House report making it clear that the Department is expected to live within the appropriation, to support the work of the United Nations Office of Internal Oversight Service, and to take all actions necessary to prevent conversion of loaned employees into permanent positions at the United Nations.

#### ARREARAGE PAYMENTS

The conference agreement includes a total of \$351,000,000 for arrearage payments, as proposed in the House bill under this account, instead of \$107,000,000 and \$244,000,000 as proposed in the Senate bill under Contributions to International Organizations and Contributions for International Peacekeeping, respectively. The conference agreement includes \$244,000,000 for the payment of arrearages, and an additional \$107,000,000 to reduce the total amount of arrearages owed to the United Nations.

The conference agreement does not include language, as proposed in the House bill, making the amounts provided under this heading subject to enactment of authorizing legislation that makes payment of arrearages contingent upon United Nations reform. The conferees understand that such authorization will be included as a separate division in this Act, and that the amounts provided under this heading will be used pursuant to the reform conditions contained in that division.

The conference agreement makes the expenditure of the \$244,000,000 provided for payment of arrearages contingent upon a reduction in the U.S. assessment rate for the designated specialized agencies to not more than 22 percent, and upon the achievement of zero nominal growth budgets in the designated specialized agencies for the 2000-2001 biennium. These conditions are included among the conditions pending as part of the authorization, and are intended to assure that real and substantial reforms are achieved at the U.N. and other international organizations prior to payment of arrearage funding, and that assessment reductions are made that will provide long-term savings to the American tax-payer.

The conferees expect the Department to provide the Committees with a report on the payment of arrearages to international organizations as specified in the House report.

#### INTERNATIONAL COMMISSIONS

##### INTERNATIONAL BOUNDARY AND WATER COMMISSION, UNITED STATES AND MEXICO SALARIES AND EXPENSES

The conference agreement includes \$19,551,000 for Salaries and Expenses of the International Boundary and Water Commission (IBWC), as proposed in both the House and Senate bills.

#### CONSTRUCTION

The conference agreement includes \$5,939,000 for the Construction account of the IBWC as proposed in the Senate bill, instead of \$5,750,000 as proposed in the House bill. The conferees agree that allocation of funding for specific projects shall reflect the direction in both the House and Senate reports. The conference agreement adopts, by reference, language in the House report regarding the reallocation of funds subject to reprogramming, and a reporting requirement on a certain wastewater treatment situation.

#### AMERICAN SECTIONS, INTERNATIONAL COMMISSIONS

The conference agreement includes \$5,733,000 for the U.S. share of expenses of the International Boundary Commission, the International Joint Commission, United States and Canada, and the Border Environment Cooperation Commission, as proposed

in both the House and Senate bills. The conference level will provide funding for all three commissions at the fiscal year 1999 levels.

#### INTERNATIONAL FISHERIES COMMISSIONS

The conference agreement includes \$15,549,000 for the U.S. share of the expenses of the International Fisheries Commissions and related activities, as proposed in the Senate bill, instead of \$14,549,000 as proposed in the House bill.

The conference agreement does not include provisions in the Senate bill limiting the amount to be obligated and expended by the Inter-American Tropical Tuna Commission and prohibiting the importation of tuna from certain countries under certain conditions. The House bill did not contain similar provisions.

The conference agreement adopts, by reference, language in the House report regarding the application of reductions if necessary, and language in the Senate report on funding for the Great Lakes Fishery Commission (GLFC), including sea lamprey operations and research, costs of treating Lake Champlain, and priority to States providing matching funds.

#### OTHER

##### PAYMENT TO THE ASIA FOUNDATION

The conference agreement includes \$8,250,000 for the Payment to the Asia Foundation account, instead of \$8,000,000 as provided in the House bill, and instead of no funding as provided in the Senate bill.

##### EISENHOWER EXCHANGE FELLOWSHIP PROGRAM TRUST FUND

The conference agreement includes language as provided in both the House and Senate bills, allowing all interest and earnings accruing to the Trust Fund in fiscal year 2000 to be used for necessary expenses of the Eisenhower Exchange Fellowships.

##### ISRAELI ARAB SCHOLARSHIP PROGRAM

The conference agreement includes language as provided in both the House and Senate bills, allowing all interest and earnings accruing to the Scholarship Fund in fiscal year 2000 to be used for necessary expenses of the Israeli Arab Scholarship Program.

##### EAST-WEST CENTER

The conference agreement includes \$12,500,000 for operations of the East-West Center as proposed in the Senate bill, instead of no funds as proposed in the House bill. The conference agreement does not include a transfer of \$13,500,000 from the Department of State, Diplomatic and Consular Programs account, as proposed in the Senate bill. The conferees adopt, by reference, the reporting requirement in the Senate report on immersion programs.

##### NORTH/SOUTH CENTER

The conference agreement includes \$1,750,000 for operations of the North/South Center, instead of no funds as proposed in both the House and Senate bills. The conference agreement does not include an earmark of funding under the Educational and Cultural Exchange Programs account for the North/South Center, as proposed in the Senate report.

##### NATIONAL ENDOWMENT FOR DEMOCRACY

The conference agreement includes \$31,000,000 for the National Endowment for Democracy as proposed in the House bill, instead of \$30,000,000 as proposed in the Senate bill.

#### RELATED AGENCY

##### BROADCASTING BOARD OF GOVERNORS

##### INTERNATIONAL BROADCASTING OPERATIONS

The conference agreement includes \$388,421,000 for International Broadcasting

Operations, instead of \$410,404,000 as proposed in the House bill, and instead of \$362,365,000 as proposed in the Senate bill. Rather than funding broadcasting to Cuba under this account, as proposed by the House, all funding for broadcasting to Cuba is included under a separate account, as proposed by the Senate and consistent with the fiscal year 1999 appropriations Act.

The amount provided represents a freeze at fiscal year 1999 funding levels for all broadcast entities funded under this account, as provided in the House bill. The Broadcasting Board of Governors is directed to submit to the House and Senate Committees on Appropriations, no later than sixty days from the date of enactment of this Act, a financial plan including a distribution of the total resources available under this account. The conferees intend that the distribution of available resources shall include amounts sufficient to avoid reductions in force at the grantee broadcasting entities.

The conference agreement adopts by reference language in the House report requiring a report on management responses to Inspector General recommendations on Radio Marti, and language in the Senate report requiring the submission of a master plan for overseas security.

##### BROADCASTING TO CUBA

The conference agreement includes \$22,095,000 for Broadcasting to Cuba under a separate account, instead of \$23,664,000 as proposed in the Senate bill, and instead of \$22,095,000 within the total for International Broadcasting Operations, as proposed in the House bill. The conference agreement includes language, as proposed in the Senate bill, that funds may be used for aircraft to house television broadcasting equipment. The House bill did not contain a provision on this matter.

##### BROADCASTING CAPITAL IMPROVEMENTS

The conference agreement includes \$11,258,000 for the Broadcasting Capital Improvements account, as proposed in the House bill, instead of \$13,245,000 as proposed in the Senate bill under the heading "Radio Construction". The conference agreement adopts a new name for this account, as requested. This account provides funding for maintenance, improvements, replacements and repairs; satellite and terrestrial program feeds; engineering support activities; and broadcast facility leases and land rentals.

The conferees expect the Broadcasting Board of Governors (BBG) to submit a spending plan within sixty days from the date of enactment of this Act allocating funds available in this account, including carryover balances, to various activities. The conferees encourage the BBG to consider, among other priorities, allocating funding for rotatable transmitting antennas.

The conference agreement includes, by reference, language in the House report regarding ongoing digital conversion efforts.

#### GENERAL PROVISIONS—DEPARTMENT OF STATE AND RELATED AGENCY

*Section 401.*—The conference agreement includes section 401, as provided in both the House and Senate bills, permitting use of funds for allowances, differentials, and transportation.

*Sec. 402.*—The conference agreement includes section 402, as provided in the House bill, dealing with transfer authority. The Senate bill contained a similar provision, allowing transfers of different percentages of appropriations.

*Sec. 403.*—The conference agreement includes section 403, as provided in both the House and Senate bills, authorizing the Secretary of State to administer summer travel and work programs without regard to preplacement requirements.

Sec. 404.—The conference agreement includes section 404, as provided in the House bill, making permanent a provision in last year's bill waiving the fee for border crossing cards from Mexico for children under 15. The Senate bill did not include a provision on this matter.

Sec. 405.—The conference agreement includes section 405, as provided in both the House and Senate bills, prohibiting the use of funds by the Department of State or the Broadcasting Board of Governors (BBG) to provide certain types of assistance to the Palestinian Broadcasting Corporation (PBC). The conference agreement does not include training that supports accurate and responsible broadcasting among the types of assistance prohibited. The conferees agree that neither the Department of State, nor the BBG, shall provide any assistance to the PBC that could support restrictions of press freedoms or the broadcasting of inaccurate, inflammatory messages. The conferees further expect the Department and the BBG to submit a report to the Committees, before December 15, 1999, detailing any programs or activities involving the PBC in fiscal year 1999, and any plans for such programs in fiscal year 2000.

Sec. 406.—The conference agreement includes section 408, as proposed in the Senate bill, prohibiting the use of funds made available in this Act by the United Nations for activities authorizing the United Nations or any of its specialized agencies or affiliated organizations to tax any aspect of the Internet.

Sec. 407.—The conference agreement includes section 409, not included in either the House or Senate bill, waiving provisions of existing legislation that require authorizations to be in place for the State Department and the Broadcasting Board of Governors prior to the expenditure of any appropriated funds.

#### TITLE V—RELATED AGENCIES

##### DEPARTMENT OF TRANSPORTATION

###### MARITIME ADMINISTRATION

###### MARITIME SECURITY PROGRAM

The conference agreement includes \$96,200,000 for the Maritime Security Program instead of \$98,700,000 as proposed in both the House and Senate bills. The conferees understand that at least \$2,500,000 in carryover funding is available, in addition to the amount provided, to allow full funding for the fiscal year 2000 requirements of the program.

###### OPERATIONS AND TRAINING

The conference agreement includes \$72,073,000 for the Maritime Administration Operations and Training account instead of \$71,303,000 as proposed in the House bill and \$72,664,000 as proposed in the Senate bill. Within this amount, \$34,073,000 shall be for the operation and maintenance of the U.S. Merchant Marine Academy, including \$2,000,000 to address maintenance backlogs.

The conference agreement includes \$7,000,000 for the State Maritime Academies. Within the amount for State Maritime Academies, \$1,200,000 shall be for student incentive payments, the same amount as provided in 1999. The conference agreement includes by reference the language in the Senate report regarding the Great Lakes Maritime Academy.

The conferees agree that the amounts designated for the U.S. Merchant Marine Academy and the State Maritime Academies shall not be used to cover Maritime Administration administrative costs associated with the Academies, as was proposed in the budget request. Such costs shall be covered from funding in this account for MARAD general administration. The conference agreement also

includes funding under MARAD general administration under this account to conduct a needs assessment on infrastructure improvements at the U.S. Merchant Marine Academy, as described in the House report. The conference agreement includes no funds for the Ready Reserve Force for fiscal year 2000. In fiscal year 1996, funding for this account was transferred to the Department of Defense.

###### MARITIME GUARANTEED LOAN (TITLE XI) PROGRAM ACCOUNT

The conference agreement provides \$6,000,000 in subsidy appropriations for the Maritime Guaranteed Loan Program instead of \$5,400,000 as proposed in the House bill and \$11,000,000 as proposed in the Senate bill. This amount will subsidize a program level of not more than \$1,000,000,000 as proposed in both the House and Senate bills.

The conference agreement also includes \$3,809,000 for administrative expenses associated with the Maritime Guaranteed Loan Program instead of \$3,725,000 as proposed in the House bill, and \$3,893,000 as proposed in the Senate bill. The amount for administrative expenses may be transferred to and merged with amounts under the MARAD Operations and Training account.

The conferees understand that MARAD expects to carry over approximately \$63,600,000 in this account which may be used as additional subsidy budget authority in fiscal year 2000. The conferees direct MARAD to submit quarterly reports to the Committees on Title XI obligations, including information on total loan principal guaranteed by each separate fiscal year's subsidy appropriation.

###### ADMINISTRATIVE PROVISIONS—MARITIME ADMINISTRATION

The conference agreement includes provisions involving Government property controlled by MARAD, the accounting for certain funds received by MARAD, and a prohibition on obligations from the MARAD construction fund. The conference agreement includes these provisions with the modification as proposed in the House bill, instead of as proposed in the Senate bill.

###### COMMISSION FOR THE PRESERVATION OF AMERICA'S HERITAGE ABROAD

###### SALARIES AND EXPENSES

The conference agreement provides \$490,000 for the Commission for the Preservation of America's Heritage Abroad, as proposed in the Senate bill, instead of \$265,000 as proposed in the House bill. Within the amount provided, the conferees agree that \$100,000 is provided as a one-time increase to support Commission efforts to attract private funding for a restoration project in Sarajevo, as described in the House report. The conference agreement includes, by reference, language in the Senate report regarding the completion of surveys in progress.

###### COMMISSION ON CIVIL RIGHTS

###### SALARIES AND EXPENSES

The conference agreement includes \$8,900,000 for the salaries and expenses of the Commission on Civil Rights as proposed in both the House and Senate bills.

The conferees direct the Commission to expedite the completion of its report on the public hearing conducted on May 26, 1999, in New York on Police Practices and Civil Rights.

The conferees expect the Commission to keep the Committees informed on the status of management improvements, including developing the ability to plan and budget for projects and to track the progress and ongoing costs of such projects.

###### ADVISORY COMMISSION ON ELECTRONIC COMMERCE

###### SALARIES AND EXPENSES

The conference agreement includes \$1,400,000 for the Advisory Commission on Electronic Commerce. The Commission was created by Public Law 105-277. The House and Senate bills did not contain funding for the Commission.

###### COMMISSION ON SECURITY AND COOPERATION IN EUROPE

###### SALARIES AND EXPENSES

The conference agreement includes \$1,182,000 for the Commission on Security and Cooperation in Europe instead of \$1,170,000 as proposed in the House bill and \$1,250,000 as proposed in the Senate bill.

###### EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

###### SALARIES AND EXPENSES

The conference agreement includes \$282,000,000 for the salaries and expenses of the Equal Employment Opportunity Commission, instead of \$279,000,000 as proposed in both the House and Senate bills.

Within the total amount, the conference agreement includes \$29,000,000 for payments to State and local Fair Employment Practices Agencies (FEPAs) for specific services to the Commission, as proposed in both the House and Senate bills. The conferees encourage the EEOC to utilize the experience the FEPAs have in mediation as the Commission implements its alternative dispute resolution programs. The Committees are willing to entertain proposals to reprogram additional funds to the FEPAs for this purpose.

The conferees expect the EEOC to submit a spending plan to the Committees before December 31, 1999, describing the allocation of funding to various Commission activities, including private sector charge backlog reduction, ADR and mediation initiatives, litigation, and automation improvements. The conferees expect the EEOC to allocate funds as necessary to achieve private sector charge backlog reduction targets, as noted in the House report.

###### FEDERAL COMMUNICATIONS COMMISSION SALARIES AND EXPENSES

The conference agreement includes a total \$210,000,000 for the salaries and expenses of the Federal Communications Commission (FCC) instead of \$192,000,000 as proposed in the House bill and \$232,805,000 as proposed in the Senate bill. Of the amounts provided, \$185,754,000 is to be derived from offsetting fee collections, as proposed in both the House and Senate bills, resulting in a net direct appropriation of \$24,246,000, instead of \$6,246,000 included in the House bill, and \$47,051,000 included in the Senate bill.

The conference agreement does not include a provision, proposed in the Senate bill, giving the FCC the authority to independently operate the FCC headquarters building. The House bill did not contain a provision on this matter.

The conferees did not retain Senate bill language regarding area code conservation. The conferees are aware that the Commission has issued a Notice of Proposed Rule-making (NPRM) to assist the State public utility commissions in their efforts to conserve numbers in specific area codes. The Commission anticipates issuing an order by the end of the first quarter of 2000. The conferees expect the Commission to keep to this schedule and issue a final order on area code conservation measures no later than March 31, 2000.

###### FEDERAL MARITIME COMMISSION SALARIES AND EXPENSES

The conference agreement includes \$14,150,000 for the salaries and expenses of

the Federal Maritime Commission, as proposed in both the House and Senate bills.

FEDERAL TRADE COMMISSION  
SALARIES AND EXPENSES

The conference agreement includes a total operating level of \$125,024,000 for the Federal Trade Commission, instead of \$116,679,000 as proposed in the House bill, and \$133,368,000 as proposed in the Senate bill. The conference agreement assumes that, of the amount provided, \$104,024,000 will be derived from fees collected in fiscal year 2000 and \$21,000,000 will be derived from estimated unobligated fee collections available from Fiscal Year 1999. These actions result in a final appropriated level of \$0, as proposed in both the House and Senate bills.

The conferees intend that any excess fee collections shall remain available for the Federal Trade Commission in future years. The conference agreement includes language, not included in either the House or Senate bills, specifying that fees may be retained and used notwithstanding a specific provision of law, rather than notwithstanding any provision of law.

The conferees agree that increased resources in this account shall be used to help safeguard consumers and nurture the development of the electronic marketplace, consistent with language in the Senate report.

The conferees support the Commission on its efforts to study the marketing practices of the entertainment industry. The intent of the study is to determine whether and to what extent the industry markets violent material rated for adults to children.

The conferees understand that the FTC recently completed a report raising questions regarding the health effects of regular cigar smoking. The conferees are aware of concerns that cigar and pipe tobacco remain as the last major tobacco products without a uniform Federal health warning label. The conferees direct the FTC to report back to the Committees on Commission plans for implementing new requirements to address this issue.

LEGAL SERVICES CORPORATION  
PAYMENT TO THE LEGAL SERVICES  
CORPORATION

The conference agreement includes \$305,000,000 for payment to the Legal Services Corporation, instead of \$300,000,000 as proposed in the Senate bill, and \$250,000,000 as proposed in the House bill.

The conference agreement provides \$289,000,000 for grants to basic field programs and independent audits, \$8,900,000 for management and administration, and \$2,100,000 for the Office of the Inspector General, as proposed by the Senate. The agreement also includes \$5,000,000 to provide technology grants to Legal Services Corporation grantees to be used to improve pro se clinic methods and acquire computerized systems that make basic legal information and court forms accessible to pro se litigants. These grants are made with the understanding, as stated in the Legal Services Corporation budget request, that the grantees make a commitment to include in their budgets for future years amounts sufficient to maintain and upgrade their equipment. The conferees note that \$28,000,000 is provided for civil legal assistance under the Violence Against Women Act program funded under title I of this bill.

The conferees expect that any unobligated balances remaining available at the end of the fiscal year may be reallocated among participating programs for technology enhancements and demonstration projects in succeeding fiscal years, subject to the reprogramming procedures in Section 605 of this Act.

The conferees have concerns about the case service reporting and associated data reports submitted annually by the Corporation's grantees and the case statistical reports submitted by the Corporation to the Congress, and the conferees direct the Corporation to make improvement of the accuracy of these submissions a top priority, per directions in the House report. The conferees also direct the Corporation to submit its 1999 annual case service reports and associated data reports to Congress no later than April 30, 2000. The Office of the Inspector General will assess the case service information provided by the grantees, and will report to the Committees no later than July 30, 2000, as to its accuracy, as described in the House report. The conference agreement also includes the two feasibility reports described in the House report, due no later than June 1, 2000. The conferees urge the Corporation to provide its annual case service reports by May 1 of each following fiscal year, as described in the House report. The conferees direct the Corporation to keep the Committees fully informed on its study of the issue of the statutory requirement that aliens be "present in the United States", as described in the House report.

ADMINISTRATIVE PROVISION—LEGAL SERVICES  
CORPORATION

The Conference recommendation includes bill language to continue the terms and conditions included under this section in the fiscal year 1999 bill, as proposed in the House. The Senate bill contained similar language, but did not propose to continue provisions regarding public disclosure of certain information and treatment of assets and income for certain clients.

MARINE MAMMAL COMMISSION  
SALARIES AND EXPENSES

The conference agreement includes \$1,270,000 for the salaries and expenses of the Marine Mammal Commission, instead of \$1,240,000 as proposed in the House bill and \$1,300,000 as proposed in the Senate bill.

SECURITIES AND EXCHANGE COMMISSION  
SALARIES AND EXPENSES

The conference agreement includes \$367,900,000 for the Securities and Exchange Commission, instead of \$324,000,000 as proposed in the House bill and \$370,800,000 as proposed in the Senate bill. The conference agreement includes bill language appropriating separate amounts from offsetting fee collections from fiscal years 1998 and 2000, as proposed in both the House and Senate bills. The conference agreement includes \$194,000,000 in fees collected in fiscal year 1998, and \$173,800,000 in fees to be collected in fiscal year 2000.

The conference agreement provides for the Commission's adjustments to base and the requested program increases for additional staff and litigation support. Additional amounts are provided to improve enforcement and investor education related to Internet securities fraud as described in the Senate report.

The conferees intend that any offsetting fee collections in fiscal year 2000 in excess of \$173,800,000 will remain available for the Securities and Exchange Commission in future years through the regular appropriations process.

The conferees agree that the Commission shall conduct a study on the effects on securities markets of electronic communications networks and extended trading hours, as provided in the Senate bill. This report shall be submitted to the Committees no later than March 1, 2000.

SMALL BUSINESS ADMINISTRATION  
SALARIES AND EXPENSES

The conference agreement provides an appropriation of \$282,300,000 for the Small Business Administration (SBA) Salaries and Ex-

penses account, instead of \$245,500,000 as proposed in the House bill and \$246,300,000 as proposed in the Senate bill. In addition, the conference agreement includes \$10,500,000 for programs related to the New Markets Venture Capital Program subject to the authorization of that program, including \$1,500,000 for BusinessLINC and \$9,000,000 for technical assistance.

In addition to amounts made available under this heading, the conference agreement includes \$129,000,000 for administrative expenses under the Business Loans Program account. This amount is transferred to and merged with amounts available under Salaries and Expenses. The conference agreement includes an additional \$136,000,000 for administrative expenses under the Disaster Loans Program account, which may under certain conditions be transferred to and merged with amounts available under Salaries and Expenses. These conditions are described under the Disaster Loans Program account.

The conference agreement provides a total of \$107,695,000 for SBA's regular operating expenses under this account. This amount includes \$2,000,000 for necessary expenses of the HUBZone program, and \$8,000,000 for initiatives to continue the improvement of SBA's management and oversight of its loan portfolio. The SBA shall submit a plan, prior to the expenditure of resources for portfolio management, in accordance with section 605 of this Act.

With the exceptions noted above, the conference agreement does not include new program initiatives requested by the SBA for fiscal year 2000. The conference agreement includes the following amounts for noncredit programs:

Small Business Development Centers .....	\$84,500,000
7(j) Technical Assistance ...	3,600,000
Microloan Technical Assistance .....	23,200,000
SCORE .....	3,500,000
Business Information Centers .....	500,000
Women's Business Centers .....	9,000,000
Survey of Women-Owned Businesses .....	790,000
National Women's Business Council .....	600,000
EZ/EC One Stop Capital Shops .....	3,100,000
US Export Assistance Centers .....	3,100,000
Advocacy Research .....	1,100,000
Veterans Outreach .....	615,000
SBIR Technical Assistance .....	500,000
ProNet .....	500,000
Drug-free Workplace Grants .....	3,500,000
Regulatory Fairness Boards .....	500,000
Total .....	138,605,000

*Small Business Development Centers (SBDC).*—Of the amounts provided for SBDCs, the conference agreement includes \$2,000,000 to continue the SBDC Defense transition program, and \$1,000,000 to continue the Environmental Compliance Project, as directed in the House report. In addition, the conference agreement includes language proposed in the Senate bill making funds for the SBDC program available for two years.

*Microloan Technical Assistance.*—The conference agreement includes \$23,200,000 for the Microloan Technical Assistance program. The conferees intend that, in addition, any unobligated fiscal year 1999 funds associated with this program will be applied to the fiscal year 2000 program.

*Advocacy Research.*—The conference includes \$1,100,000 for Advocacy Research. The

conferees encourage the Office of Advocacy to pursue the study identified in the House report on the livestock and agriculture industries.

The conference agreement adopts language included in the House report directing the SBA to fully LowDoc Processing Centers, and to continue activities assisting small businesses to adapt to a paperless procurement environment, as well as activities which assist small businesses in making the transition to meet both military and ISO 9000 quality systems requirements.

#### OFFICE OF INSPECTOR GENERAL

The conference agreement provides \$11,000,000 for the SBA Office of Inspector General, instead of \$10,800,000 as proposed in the House bill and \$13,250,000 recommended in the Senate bill.

An additional \$500,000 has been provided under the administrative expenses of the Disaster Loans Program to be made available to the Office of Inspector General for work associated with oversight of the Disaster Loans Program.

The conferees agree that the OIG should allocate resources to the priority areas mentioned in the Senate report.

#### BUSINESS LOANS PROGRAM ACCOUNT

The conference agreement includes \$266,800,000 under the SBA Business Loans Program Account, instead of \$222,792,000 as proposed in the House bill, and \$297,368,000 as proposed in the Senate bill. Within the amount provided, \$6,000,000 shall be available only for the New Markets Venture Capital Program, subject to the enactment of authorizing legislation in fiscal year 2000.

No appropriation is provided for the costs of direct loans. The conferees understand that \$2,500,000 in carryover is available for the Microloan Direct Loan Program, and will support an estimated 2000 program level of over \$29,000,000. The conferees direct the SBA to submit the report on Microloan programs requested in the House report.

The conference agreement includes \$137,800,000 for the costs of guaranteed loans, including the following programs:

*7(a) General Business Loans.*—The conference agreement provides \$107,500,000 in subsidy appropriations for the 7(a) general business guaranteed loan program, instead of \$106,400,000 as proposed in the House bill and \$118,500,000 as proposed in the Senate bill. When combined with \$7,000,000 in available carryover balances and recoveries, this amount will subsidize an estimated 2000 program level of \$9,871,000,000, assuming a subsidy rate of 1.16%. In addition, the conference agreement includes a provision, as proposed in the House bill, requiring the SBA to notify the Committees on Appropriations in accordance with section 605 of this Act prior to providing a total program level greater than \$10,000,000,000, instead of greater than \$10,500,000,000 as proposed in the Senate bill. The conferees agree with the concerns expressed by the Senate that many small businesses are not adequately prepared for the problems they may face from Y2K computer problems and about the impact that the Y2K computer problem may have on the economy and, in particular, on small business owners and their employees. Consequently, the conferees agree that the Small Business Administration must give the highest priority to loans to small businesses to correct Y2K computer problems affecting their own information technology systems or other automated systems, and loans to provide relief for small businesses from economic injuries suffered as a direct result of their own Y2K computer problems or some other entity's Y2K computer problems.

*Small Business Investment Companies (SBIC).*—The conference agreement provides

\$24,300,000 for the SBIC participating securities program, instead of \$21,630,000 as proposed in the House bill, and \$25,868,000 as proposed in the Senate bill. This amount will result in an estimated total program level of \$1,350,000,000 in fiscal year 2000. No appropriation is provided for the debentures program, as the program will operate with a zero subsidy rate in fiscal year 2000. The conference agreement includes language proposed in the House bill limiting the debentures program to the authorized program level, instead of similar language in the Senate bill.

*Microloan Guaranty Programs.*—The conference agreement does not include new appropriations for the Microloan Guaranty Program, as none were requested. Available carryover will provide for the subsidy costs of, at least, the requested 2000 program level of \$15,998,000.

In addition, the conference agreement includes \$129,000,000 for administrative expenses to carry out the direct and guaranteed loan programs as proposed in the Senate bill, and instead of \$94,000,000 as proposed in the House bill, and makes such funds available to be transferred to and merged with appropriations for Salaries and Expenses.

#### DISASTER LOANS PROGRAM ACCOUNT

The conference agreement includes a total of \$276,400,000 for this account, of which \$140,400,000 is for the subsidy costs for disaster loans and \$136,000,000 is for administrative expenses associated with the disaster loans program. The House bill proposed \$139,400,000 for loans and \$116,000,000 for administrative expenses. The Senate bill provided \$77,700,000 for loans and \$86,000,000 for administrative expenses.

For disaster loans, the conference agreement assumes that the \$140,400,000 subsidy appropriation, when combined with \$72,000,000 in carryover balances and \$10,000,000 in recoveries, will provide a total disaster loan program level of \$1,000,000,000. The conference agreement takes into account that the Administration requested only \$39,400,000 for disaster loan subsidies, which would have supported less than one quarter of an average annual program. The Administration is directed to realistically assess the level of need for the disaster loans program and budget accordingly.

The conference agreement includes language, as proposed in the Senate bill, allowing appropriations for administrative costs to be transferred to and merged with appropriations for Salaries and Expenses. The House bill did not include language allowing such transfers. The conference agreement includes a provision that any amount to be transferred to Salaries and Expenses from the Disaster Loans Program account in excess of \$20,000,000 shall be treated as a reprogramming of funds under section 605 of this Act. In addition, the conferees agree that any such reprogramming shall be accompanied by a report from the administrator on the anticipated effect of the proposed transfer on the ability of the SBA to cover the full annual requirements for direct administrative costs of disaster loan making and servicing.

Of the amounts provided for administrative expenses under this heading, \$500,000 is to be transferred to and merged with the Office of Inspector General account for oversight and audit activities related to the Disaster Loans program.

#### ADMINISTRATIVE PROVISION—SMALL BUSINESS ADMINISTRATION

The conference agreement includes a provision providing SBA with the authority to transfer funds between appropriations accounts as proposed in the House bill, instead of a similar provision in the Senate bill.

#### STATE JUSTICE INSTITUTE

##### SALARIES AND EXPENSES

The conference agreement provides \$6,850,000 for the salaries and expenses of the State Justice Institute (SJI) as proposed in the Senate bill, instead of no funding as proposed in the House bill. The conference agreement does not include the transfer of an additional \$8,000,000 to this account from the Courts of Appeals, District Courts and Other Judicial Services account in Title III as proposed in the Senate report.

#### TITLE VI—GENERAL PROVISIONS

The conference agreement includes the following general provisions:

*Section 601.*—The conference agreement includes section 601, identical in both the House and Senate bills, regarding the use of appropriations for publicity or propaganda purposes.

*Sec. 602.*—The conference agreement includes section 602, identical in both the House and Senate bills, regarding the availability of appropriations for obligation beyond the current fiscal year.

*Sec. 603.*—The conference agreement includes section 603, identical in both the House and Senate bills, regarding the use of funds for consulting services.

*Sec. 604.*—The conference agreement includes section 604, identical in both the House and Senate bills, providing that should any provision of the Act be held to be invalid, the remainder of the Act would not be affected.

*Sec. 605.*—The conference agreement includes section 605, as included in the House bill, establishing the policy by which funding available to the agencies funded under this Act may be reprogrammed for other purposes, instead of the slightly modified Senate version.

*Sec. 606.*—The conference agreement includes section 606, identical in both the House and Senate bills, regarding the construction, repair or modification of National Oceanic and Atmospheric Administration vessels in overseas shipyards.

*Sec. 607.*—The conference agreement includes section 607, identical in both the House and Senate bills, regarding the purchase of American-made products.

*Sec. 608.*—The conference agreement includes section 608, identical in both the House and Senate bills, which prohibits funds in the bill from being used to implement, administer, or enforce any guidelines of the Equal Employment Opportunity Commission similar to proposed guidelines covering harassment based on religion published by the EEOC in October, 1993.

*Sec. 609.*—The conference agreement includes section 609, proposed in the House bill as section 610, prohibiting the use of funds for any United Nations peacekeeping mission that involves U.S. Armed Forces under the command or operational control of a foreign national, unless the President certifies that the involvement is in the national security interest, as proposed in the House bill. The Senate bill did not contain a provision on this matter.

*Sec. 610.*—The conference agreement includes section 610, proposed in the Senate bill as section 609, that prohibits use of funds to expand U.S. diplomatic presence in Vietnam beyond the level in effect on July 11, 1995, unless the President makes a certification that several conditions have been met regarding Vietnam's cooperation with the United States on POW/MIA issues. The House bill included a similar provision, with minor technical differences.

*Sec. 611.*—The conference agreement includes section 611, modified from section 610 proposed in the Senate bill, which prohibits more than 20% of any account that is available for obligation only in the current fiscal

year from being obligated during the last two months of the fiscal year unless the Committees on Appropriations are notified in accordance with standard reprogramming procedures, with an exemption to this limitation for grant programs. The House bill did not contain a provision on this matter.

*Sec. 612.*—The conference agreement includes section 612, identical in both the House and Senate bills, which prohibits the use of funds to provide certain amenities for Federal prisoners.

*Sec. 613.*—The conference agreement includes section 613, proposed as section 612 in the House bill, restricting the use of funds provided under the National Oceanic and Atmospheric Administration for fleet modernization activities. The Senate bill did not contain a provision on this matter.

*Sec. 614.*—The conference agreement includes section 614, proposed as section 612 in the Senate bill, which requires agencies and departments funded in this Act to absorb any necessary costs related to downsizing or consolidations within the amounts provided to the agency or department. The House bill included this provision as section 613, with minor technical differences.

*Sec. 615.*—The conference agreement includes section 615, as proposed in both the House and Senate bills, which prohibits funds made available to the Federal Bureau of Prisons from being used to make available any commercially published information or material that is sexually explicit or features nudity to a prisoner.

*Sec. 616.*—The conference agreement includes section 616, as proposed in both the House and Senate bills, which limits funding under the Local Law Enforcement Block Grant to 90 percent to an entity that does not provide public safety officers injured in the line of duty, and as a result separated or retired from their jobs, with health insurance benefits equal to the insurance they received while on duty.

*Sec. 617.*—The conference agreement includes a provision, proposed as section 616 in the House bill, which prohibits funds provided in this Act from being used to promote the sale or export of tobacco or tobacco products, or to seek the reduction or removal of foreign restrictions on the marketing of tobacco products, provided such restrictions are applied equally to all tobacco or tobacco products of the same type. This provision is not intended to impact routine international trade services provided to all U.S. citizens, including the processing of applications to establish foreign trade zones. The Senate bill did not contain a provision on this matter.

*Sec. 618.*—The conference agreement includes section 618, proposed as section 615 in the Senate bill, which extends the prohibition in last year's bill on use of funds to issue a visa to any alien involved in extra judicial and political killings in Haiti. The provision also adds two names to the list of victims, and extends the exemption and reporting requirements from last year's provision. The House bill did not contain a provision on this matter.

*Sec. 619.*—The conference agreement includes section 619, proposed as section 617 in the House bill and carried in the fiscal year 1999 Act, which prohibits a user fee from being charged for background checks conducted pursuant to the Brady Handgun Control Act of 1993, and prohibits implementation of a background check system which does not require or result in destruction of certain information. The Senate bill included a similar provision as section 616, requiring immediate destruction of such information.

*Sec. 620.*—The conference agreement includes section 620, proposed as section 618 in the House bill, which delays obligation of

any receipts deposited into the Crime Victims Fund in excess of \$500,000,000 until October 1, 2000. The conferees have taken this action to protect against wide fluctuations in receipts into the Fund, and to ensure that a stable level of funding will remain available for these programs in future years.

*Sec. 621.*—The conference agreement includes section 621, proposed as section 620 in the House bill, which prohibits the use of funds to implement or prepare to implement the Kyoto Protocol on Climate Change prior to Senate ratification of the treaty. The Senate bill did not contain a provision on this matter.

*Sec. 622.*—The conference agreement includes a new section 622, which provides additional amounts for the Small Business Administration, Salaries and Expenses account for the following small business initiatives: \$2,500,000 for continuation of an outreach program to assist small business development; \$2,000,000 for infrastructure to develop a facility to increase small business opportunities and economic development; \$3,000,000 for infrastructure to develop a facility that will serve as an incubator for small arts-related businesses; \$750,000 for a skills training program for small business owners; \$2,500,000 for infrastructure to develop a technology and training center; \$1,000,000 to develop a facility and operate an institute for small business and workforce development; \$1,000,000 to develop an education network; \$1,000,000 for a technical assistance program for at-risk small businesses; \$1,900,000 for infrastructure for a regional resource facility for small tourism businesses; \$1,000,000 for a science and technology small business loan fund; \$8,550,000 for infrastructure to develop a workforce development and skills training facility; \$2,000,000 for a one-stop resource center for technology start-up businesses; \$200,000 for a resource center for rural small business; \$200,000 for a community development foundation; \$500,000 for a training and technology center and associated infrastructure improvements; \$500,000 for a program for technology-based small business growth; \$500,000 for a project to develop strategic plans for technology-based small business development; \$200,000 for infrastructure to develop a facility; \$150,000 for a small business entrepreneurial education center; \$300,000 for a microenterprise loan program; and \$250,000 for a small business incubator facility.

*Sec. 623.*—The conference agreement includes a section, modified from the Senate bill, that authorizes the establishment and initial capitalization of two funds: the Northern Boundary and Transboundary Rivers Restoration and Enhancement Fund; and the Southern Boundary Restoration and Enhancement Fund. This section withholds funding to implement the 1999 Pacific Salmon Treaty Agreement until anticipated judicial and regulatory actions have been taken. This section also requires NMFS to make a jeopardy determination in southern United States fisheries before it may revisit its decision in Alaska. It allows the Pacific Salmon Commission to implement harvest responses under the Pacific Salmon Treaty before NMFS may reinstate consultation in Alaska. The Pacific Salmon Commission can regulate salmon harvests in the United States and Canada in response to low escapement numbers, whereas NMFS may only address U.S. fisheries using the Endangered Species Act. Additionally, this section makes changes to the voting structure of the Pacific Salmon Commission. This section also authorizes funds in fiscal year 2000 for Pacific Coastal Salmon Recovery that are appropriated under title II of this Act, subject to requirements for a 25 percent non-federal match and a 3 percent limitation on ad-

ministrative expenses, with certain exceptions.

*Sec. 624.*—The conference agreement includes section 624, proposed as section 627 in the Senate bill, which makes fiscal year 1999 appropriations associated with implementation of the American Fisheries Act of 1999 available until expended. The House bill did not contain a similar provision.

*Sec. 625.*—The conference agreement includes a new provision, numbered as section 625, which amends section 635 of Public Law 106-58 by inserting the words "the carrier for" after "if" in subsection (b)(2), and "or otherwise provide for" after "to prescribe" in subsection (c).

*Sec. 626.*—The conference agreement includes section 626, proposed as section 801 in the House bill, which prohibits the use of Department of Justice funds for programs which discriminate against or denigrate the religious beliefs of students participating in such programs. The Senate bill did not contain a provision on this matter.

*Sec. 627.*—The conference agreement includes section 627, proposed as section 802 in the House bill, which prohibits the use of funds to process visas for citizens of countries that the Attorney General has determined deny or delay accepting the return of deported citizens. The Senate bill did not contain a provision on this matter.

*Sec. 628.*—The conference agreement includes section 628, proposed as section 803 in the House bill, which prohibits the use of Department of Justice funds to transport a high security prisoner to any facility other than to a facility certified by the Bureau of Prisons as appropriately secure to house such a prisoner. The Senate bill did not contain a similar provision.

*Sec. 629.*—The conference agreement includes section 629, modified from language proposed as section 804 in the House bill, which prohibits funds from being used for the participation of United States delegates to the Standing Consultative Commission unless the President submits a certification that the U.S. Government is not implementing a 1997 memorandum of understanding regarding the 1972 Anti-Ballistic Missile Treaty between the U.S. and the U.S.S.R., or the Senate ratifies the memorandum of understanding. The Senate bill did not include a provision on this matter.

*Sec. 630.*—The conference agreement includes section 630, proposed as section 805 in the House bill, which prohibits funds for any activity in support of adding or maintaining any World Heritage Site in the U.S. on the List of World Heritage in Danger. The Senate bill did not include a provision on this matter.

The conference agreement does not include a provision, proposed as section 619 in the House bill, regarding Global Change Research assessments. However, the conferees direct that funds provided in this Act not be used to publish Global Change Research assessments unless the research has been subjected to peer review and made available to the public, and the draft assessment has been published in the Federal Register for a 60 day public comment period.

#### TITLE VII—RESCISSIONS

##### DEPARTMENT OF JUSTICE

##### DRUG ENFORCEMENT ADMINISTRATION DRUG DIVERSION CONTROL FEE ACCOUNT (RESCISSION)

The conference agreement includes a rescission of \$35,000,000 from the amounts otherwise available for obligation in fiscal year 2000 for the "Drug Diversion Fee Account", as proposed in the Senate bill. The House bill did not include a rescission from this account.

IMMIGRATION AND NATURALIZATION SERVICE  
IMMIGRATION EMERGENCY FUND  
(RESCISSION)

The conference agreement includes a rescission of \$1,137,000, the total remaining unobligated balances available in the Fund, as proposed in the House bill. The Senate bill did not include a rescission from the Fund.

DEPARTMENT OF STATE AND RELATED  
AGENCY

BROADCASTING BOARD OF GOVERNORS  
INTERNATIONAL BROADCASTING OPERATIONS  
(RESCISSION)

The conference agreement includes a rescission of \$15,516,000 from unobligated balances in this account, instead of \$14,829,000 as proposed in the House bill and \$18,870,000 as proposed in the Senate bill. This amount is the remaining unobligated balances of funding originally provided to support the costs of relocating the headquarters of Radio Free Europe/Radio Liberty from Munich to Prague.

RELATED AGENCIES  
SMALL BUSINESS ADMINISTRATION  
BUSINESS LOANS PROGRAM ACCOUNT  
(RESCISSION)

The conference agreement includes a rescission of \$13,100,000 from unobligated balances under this heading, instead of \$12,400,000 as proposed in the House bill and no rescission as proposed in the Senate bill. This amount represents monies received by the SBA from the repurchase of preferred stock, and previously available to provide certain SBIC debenture guarantees. This funding is no longer required as the SBIC debentures program will have a zero subsidy rate in fiscal year 2000.

CONFERENCE TOTAL—WITH  
COMPARISONS

The total new budget (obligational) authority for the fiscal year 2000 recommended by the Committee of Conference, with comparisons to the fiscal year 1999 amount, the 2000 budget estimates, and the House and Senate bills for 2000 follow:

[In thousands of dollars]

New budget (obligational) authority, fiscal year 1999 .....	\$36,197,272
Budget estimates of new (obligational) authority, fiscal year 2000 .....	49,812,980
House bill, fiscal year 2000 .....	37,677,283
Senate bill, fiscal year 2000 .....	35,384,564
Conference agreement, fiscal year 2000 .....	39,630,967
Conference agreement compared with:	
New budget (obligational) authority, fiscal year 1999 .....	+3,433,695
Budget estimates of new (obligational) authority, fiscal year 2000 .....	-10,182,013
House bill, fiscal year 2000 .....	+1,953,684
Senate bill, fiscal year 2000 .....	+4,246,403

The conference agreement would enact the provisions of H.R. 3422, as introduced on November 17, 1999. The text of that bill follows:

TITLE I—EXPORT AND INVESTMENT  
ASSISTANCE

EXPORT-IMPORT BANK OF THE UNITED STATES

The Export-Import Bank of the United States is authorized to make such expenditures within the limits of funds and borrowing authority available to such corporation, and in accordance with law, and to make such contracts and commitments without regard to fiscal year limitations, as provided by section 104 of the Gov-

ernment Corporation Control Act, as may be necessary in carrying out the program for the current fiscal year for such corporation: Provided, That none of the funds available during the current fiscal year may be used to make expenditures, contracts, or commitments for the export of nuclear equipment, fuel, or technology to any country other than a nuclear-weapon state as defined in Article IX of the Treaty on the Non-Proliferation of Nuclear Weapons eligible to receive economic or military assistance under this Act that has detonated a nuclear explosive after the date of the enactment of this Act.

SUBSIDY APPROPRIATION

For the cost of direct loans, loan guarantees, insurance, and tied-aid grants as authorized by section 10 of the Export-Import Bank Act of 1945, as amended, \$759,000,000 to remain available until September 30, 2003: Provided, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: Provided further, That such sums shall remain available until September 30, 2018 for the disbursement of direct loans, loan guarantees, insurance and tied-aid grants obligated in fiscal years 2000, 2001, 2002, and 2003: Provided further, That none of the funds appropriated by this Act or any prior Act appropriating funds for foreign operations, export financing, or related programs for tied-aid credits or grants may be used for any other purpose except through the regular notification procedures of the Committees on Appropriations: Provided further, That funds appropriated by this paragraph are made available notwithstanding section 2(b)(2) of the Export Import Bank Act of 1945, in connection with the purchase or lease of any product by any East European country, any Baltic State or any agency or national thereof.

ADMINISTRATIVE EXPENSES

For administrative expenses to carry out the direct and guaranteed loan and insurance programs (to be computed on an accrual basis), including hire of passenger motor vehicles and services as authorized by 5 U.S.C. 3109, and not to exceed \$25,000 for official reception and representation expenses for members of the Board of Directors, \$55,000,000: Provided, That necessary expenses (including special services performed on a contract or fee basis, but not including other personal services) in connection with the collection of moneys owed the Export-Import Bank, repossession or sale of pledged collateral or other assets acquired by the Export-Import Bank in satisfaction of moneys owed the Export-Import Bank, or the investigation or appraisal of any property, or the evaluation of the legal or technical aspects of any transaction for which an application for a loan, guarantee or insurance commitment has been made, shall be considered nonadministrative expenses for the purposes of this heading: Provided further, That, notwithstanding subsection (b) of section 117 of the Export Enhancement Act of 1992, subsection (a) thereof shall remain in effect until October 1, 2000.

OVERSEAS PRIVATE INVESTMENT CORPORATION  
NONCREDIT ACCOUNT

The Overseas Private Investment Corporation is authorized to make, without regard to fiscal year limitations, as provided by 31 U.S.C. 9104, such expenditures and commitments within the limits of funds available to it and in accordance with law as may be necessary: Provided, That the amount available for administrative expenses to carry out the credit and insurance programs (including an amount for official reception and representation expenses which shall not exceed \$35,000) shall not exceed \$35,000,000: Provided further, That project-specific transaction costs, including direct and indirect costs incurred in claims settlements, and other direct costs associated with services provided to specific investors or potential investors pursuant to section 234 of the Foreign Assistance Act of 1961,

shall not be considered administrative expenses for the purposes of this heading.

PROGRAM ACCOUNT

For the cost of direct and guaranteed loans, \$24,000,000, as authorized by section 234 of the Foreign Assistance Act of 1961 to be derived by transfer from the Overseas Private Investment Corporation noncredit account: Provided, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: Provided further, That such sums shall be available for direct loan obligations and loan guaranty commitments incurred or made during fiscal years 2000 and 2001: Provided further, That such sums shall remain available through fiscal year 2008 for the disbursement of direct and guaranteed loans obligated in fiscal year 2000, and through fiscal year 2009 for the disbursement of direct and guaranteed loans obligated in fiscal year 2001: Provided further, That in addition, such sums as may be necessary for administrative expenses to carry out the credit program may be derived from amounts available for administrative expenses to carry out the credit and insurance programs in the Overseas Private Investment Corporation Noncredit Account and merged with said account: Provided further, That funds made available under this heading or in prior appropriations Acts that are available for the cost of financing under section 234 of the Foreign Assistance Act of 1961, shall be available for purposes of section 234(g) of such Act, to remain available until expended.

FUNDS APPROPRIATED TO THE PRESIDENT

TRADE AND DEVELOPMENT AGENCY

For necessary expenses to carry out the provisions of section 661 of the Foreign Assistance Act of 1961, \$44,000,000, to remain available until September 30, 2001: Provided, That the Trade and Development Agency may receive reimbursements from corporations and other entities for the costs of grants for feasibility studies and other project planning services, to be deposited as an offsetting collection to this account and to be available for obligation until September 30, 2001, for necessary expenses under this paragraph: Provided further, That such reimbursements shall not cover, or be allocated against, direct or indirect administrative costs of the agency.

TITLE II—BILATERAL ECONOMIC  
ASSISTANCE

FUNDS APPROPRIATED TO THE PRESIDENT

For expenses necessary to enable the President to carry out the provisions of the Foreign Assistance Act of 1961, and for other purposes, to remain available until September 30, 2000, unless otherwise specified herein, as follows:

AGENCY FOR INTERNATIONAL DEVELOPMENT

CHILD SURVIVAL AND DISEASE PROGRAMS FUND

For necessary expenses to carry out the provisions of chapters 1 and 10 of part I of the Foreign Assistance Act of 1961, for child survival, basic education, assistance to combat tropical and other diseases, and related activities, in addition to funds otherwise available for such purposes, \$715,000,000, to remain available until expended: Provided, That this amount shall be made available for such activities as: (1) immunization programs; (2) oral rehydration programs; (3) health and nutrition programs, and related education programs, which address the needs of mothers and children; (4) water and sanitation programs; (5) assistance for displaced and orphaned children; (6) programs for the prevention, treatment, and control of, and research on, tuberculosis, HIV/AIDS, polio, malaria and other diseases; and (7) up to \$98,000,000 for basic education programs for children: Provided further, That none of the funds appropriated under this heading may be made available for nonproject assistance for health and child survival programs, except that funds may be made available for such assistance for ongoing health programs: Provided further,



That \$35,000,000 shall be available only for the HIV/AIDS programs requested under this heading in House Document 106-101.

DEVELOPMENT ASSISTANCE  
(INCLUDING TRANSFER OF FUNDS)

For necessary expenses to carry out the provisions of sections 103 through 106, and chapter 10 of part I of the Foreign Assistance Act of 1961, title V of the International Security and Development Cooperation Act of 1980 (Public Law 96-533) and the provisions of section 401 of the Foreign Assistance Act of 1969, \$1,228,000,000, to remain available until September 30, 2001: Provided, That of the amount appropriated under this heading, up to \$5,000,000 may be made available for and apportioned directly to the Inter-American Foundation: Provided further, That of the amount appropriated under this heading, up to \$14,400,000 may be made available for the African Development Foundation and shall be apportioned directly to that agency: Provided further, That none of the funds made available in this Act nor any unobligated balances from prior appropriations may be made available to any organization or program which, as determined by the President of the United States, supports or participates in the management of a program of coercive abortion or involuntary sterilization: Provided further, That none of the funds made available under this heading may be used to pay for the performance of abortion as a method of family planning or to motivate or coerce any person to practice abortions; and that in order to reduce reliance on abortion in developing nations, funds shall be available only to voluntary family planning projects which offer, either directly or through referral to, or information about access to, a broad range of family planning methods and services, and that any such voluntary family planning project shall meet the following requirements: (1) service providers or referral agents in the project shall not implement or be subject to quotas, or other numerical targets, of total number of births, number of family planning acceptors, or acceptors of a particular method of family planning (this provision shall not be construed to include the use of quantitative estimates or indicators for budgeting and planning purposes); (2) the project shall not include payment of incentives, bribes, gratuities, or financial reward to: (A) an individual in exchange for becoming a family planning acceptor; or (B) program personnel for achieving a numerical target or quota of total number of births, number of family planning acceptors, or acceptors of a particular method of family planning; (3) the project shall not deny any right or benefit, including the right of access to participate in any program of general welfare or the right of access to health care, as a consequence of any individual's decision not to accept family planning services; (4) the project shall provide family planning acceptors comprehensible information on the health benefits and risks of the method chosen, including those conditions that might render the use of the method inadvisable and those adverse side effects known to be consequent to the use of the method; and (5) the project shall ensure that experimental contraceptive drugs and devices and medical procedures are provided only in the context of a scientific study in which participants are advised of potential risks and benefits; and, not less than 60 days after the date on which the Administrator of the United States Agency for International Development determines that there has been a violation of the requirements contained in paragraph (1), (2), (3), or (5) of this proviso, or a pattern or practice of violations of the requirements contained in paragraph (4) of this proviso, the Administrator shall submit to the Committee on International Relations and the Committee on Appropriations of the House of Representatives and to the Committee on Foreign Relations and the Committee on Appropriations of the Senate, a report containing a de-

scription of such violation and the corrective action taken by the Agency: Provided further, That in awarding grants for natural family planning under section 104 of the Foreign Assistance Act of 1961 no applicant shall be discriminated against because of such applicant's religious or conscientious commitment to offer only natural family planning; and, additionally, all such applicants shall comply with the requirements of the previous proviso: Provided further, That for purposes of this or any other Act authorizing or appropriating funds for foreign operations, export financing, and related programs, the term "motivate", as it relates to family planning assistance, shall not be construed to prohibit the provision, consistent with local law, of information or counseling about all pregnancy options: Provided further, That nothing in this paragraph shall be construed to alter any existing statutory prohibitions against abortion under section 104 of the Foreign Assistance Act of 1961: Provided further, That, notwithstanding section 109 of the Foreign Assistance Act of 1961, of the funds appropriated under this heading in this Act, and of the unobligated balances of funds previously appropriated under this heading, \$2,500,000 may be transferred to "International Organizations and Programs" for a contribution to the International Fund for Agricultural Development (IFAD): Provided further, That none of the funds appropriated under this heading may be made available for any activity which is in contravention to the Convention on International Trade in Endangered Species of Flora and Fauna (CITES): Provided further, That of the funds appropriated under this heading that are made available for assistance programs for displaced and orphaned children and victims of war, not to exceed \$25,000, in addition to funds otherwise available for such purposes, may be used to monitor and provide oversight of such programs: Provided further, That of the funds appropriated under this heading not less than \$500,000 should be made available for support of the United States Telecommunications Training Institute: Provided further, That, of the funds appropriated by this Act for the Microenterprise Initiative (including any local currencies made available for the purposes of the Initiative), not less than one-half should be made available for programs providing loans of less than \$300 to very poor people, particularly women, or for institutional support of organizations primarily engaged in making such loans.

CYPRUS

Of the funds appropriated under the headings "Development Assistance" and "Economic Support Fund", not less than \$15,000,000 shall be made available for Cyprus to be used only for scholarships, administrative support of the scholarship program, bicomunal projects, and measures aimed at reunification of the island and designed to reduce tensions and promote peace and cooperation between the two communities on Cyprus.

LEBANON

Of the funds appropriated under the headings "Development Assistance" and "Economic Support Fund", not less than \$15,000,000 should be made available for Lebanon to be used, among other programs, for scholarships and direct support of the American educational institutions in Lebanon.

BURMA

Of the funds appropriated under the headings "Economic Support Fund", "Child Survival and Disease Programs Fund" and "Development Assistance", not less than \$6,500,000 shall be made available to support democracy activities in Burma, democracy and humanitarian activities along the Burma-Thailand border, and for Burmese student groups and other organizations located outside Burma: Provided, That funds made available for Burma-related activities under this heading may be made available notwithstanding any other provision of law: Pro-

vided further, That the provision of such funds shall be made available subject to the regular notification procedures of the Committees on Appropriations.

PRIVATE AND VOLUNTARY ORGANIZATIONS

None of the funds appropriated or otherwise made available by this Act for development assistance may be made available to any United States private and voluntary organization, except any cooperative development organization, which obtains less than 20 percent of its total annual funding for international activities from sources other than the United States Government: Provided, That the Administrator of the Agency for International Development may, on a case-by-case basis, waive the restriction contained in this paragraph, after taking into account the effectiveness of the overseas development activities of the organization, its level of volunteer support, its financial viability and stability, and the degree of its dependence for its financial support on the agency.

Funds appropriated or otherwise made available under title II of this Act should be made available to private and voluntary organizations at a level which is at least equivalent to the level provided in fiscal year 1995.

INTERNATIONAL DISASTER ASSISTANCE

For necessary expenses for international disaster relief, rehabilitation, and reconstruction assistance pursuant to section 491 of the Foreign Assistance Act of 1961, as amended, \$202,880,000, to remain available until expended: Provided, That the Agency for International Development shall submit a report to the Committees on Appropriations at least 5 days prior to providing assistance through the Office of Transition Initiatives for a country that did not receive such assistance in fiscal year 1999.

MICRO AND SMALL ENTERPRISE DEVELOPMENT  
PROGRAM ACCOUNT

For the cost of direct loans and loan guarantees, \$1,500,000, as authorized by section 108 of the Foreign Assistance Act of 1961, as amended: Provided, That such costs shall be as defined in section 502 of the Congressional Budget Act of 1974: Provided further, That guarantees of loans made under this heading in support of micro-enterprise activities may guarantee up to 70 percent of the principal amount of any such loans notwithstanding section 108 of the Foreign Assistance Act of 1961. In addition, for administrative expenses to carry out programs under this heading, \$500,000, all of which may be transferred to and merged with the appropriation for Operating Expenses of the Agency for International Development: Provided further, That funds made available under this heading shall remain available until September 30, 2001.

URBAN AND ENVIRONMENTAL CREDIT PROGRAM  
ACCOUNT

For the cost, as defined in section 502 of the Congressional Budget Act of 1974, of guaranteed loans authorized by sections 221 and 222 of the Foreign Assistance Act of 1961, \$1,500,000, to remain available until expended: Provided, That these funds are available to subsidize loan principal, 100 percent of which shall be guaranteed, pursuant to the authority of such sections. In addition, for administrative expenses to carry out guaranteed loan programs, \$5,000,000, all of which may be transferred to and merged with the appropriation for Operating Expenses of the Agency for International Development: Provided further, That commitments to guarantee loans under this heading may be entered into notwithstanding the second and third sentences of section 222(a) of the Foreign Assistance Act of 1961.

DEVELOPMENT CREDIT AUTHORITY PROGRAM  
ACCOUNT

For the cost of direct loans and loan guarantees, up to \$3,000,000 to be derived by transfer from funds appropriated by this Act to carry out part I of the Foreign Assistance Act of 1961, as amended, and funds appropriated by this Act under the heading, "ASSISTANCE FOR EASTERN

EUROPE AND THE BALTIC STATES", to remain available until expended, as authorized by section 635 of the Foreign Assistance Act of 1961: Provided, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: Provided further, That for administrative expenses to carry out the direct and guaranteed loan programs, up to \$500,000 of this amount may be transferred to and merged with the appropriation for "Operating Expenses of the Agency for International Development": Provided further, That the provisions of section 107A(d) (relating to general provisions applicable to the Development Credit Authority) of the Foreign Assistance Act of 1961, as contained in section 306 of H.R. 1486 as reported by the House Committee on International Relations on May 9, 1997, shall be applicable to direct loans and loan guarantees provided under this heading.

PAYMENT TO THE FOREIGN SERVICE RETIREMENT AND DISABILITY FUND

For payment to the "Foreign Service Retirement and Disability Fund", as authorized by the Foreign Service Act of 1980, \$43,837,000.

OPERATING EXPENSES OF THE AGENCY FOR INTERNATIONAL DEVELOPMENT

For necessary expenses to carry out the provisions of section 667, \$520,000,000: Provided, That, none of the funds appropriated under this heading may be made available to finance the construction (including architect and engineering services), purchase, or long term lease of offices for use by the Agency for International Development, unless the Administrator has identified such proposed construction (including architect and engineering services), purchase, or long term lease of offices in a report submitted to the Committees on Appropriations at least 15 days prior to the obligation of these funds for such purposes: Provided further, That the previous proviso shall not apply where the total cost of construction (including architect and engineering services), purchase, or long term lease of offices does not exceed \$1,000,000.

OPERATING EXPENSES OF THE AGENCY FOR INTERNATIONAL DEVELOPMENT OFFICE OF INSPECTOR GENERAL

For necessary expenses to carry out the provisions of section 667, \$25,000,000, to remain available until September 30, 2001, which sum shall be available for the Office of the Inspector General of the Agency for International Development.

OTHER BILATERAL ECONOMIC ASSISTANCE  
ECONOMIC SUPPORT FUND

For necessary expenses to carry out the provisions of chapter 4 of part II, \$2,345,500,000, to remain available until September 30, 2001: Provided, That of the funds appropriated under this heading, not less than \$960,000,000 shall be available only for Israel, which sum shall be available on a grant basis as a cash transfer and shall be disbursed within 30 days of the enactment of this Act or by October 31, 1999, whichever is later: Provided further, That not less than \$735,000,000 shall be available only for Egypt, which sum shall be provided on a grant basis, and of which sum cash transfer assistance shall be provided with the understanding that Egypt will undertake significant economic reforms which are additional to those which were undertaken in previous fiscal years, and of which not less than \$200,000,000 shall be provided as Commodity Import Program assistance: Provided further, That in exercising the authority to provide cash transfer assistance for Israel, the President shall ensure that the level of such assistance does not cause an adverse impact on the total level of nonmilitary exports from the United States to such country and that Israel enters into a side letter agreement at least equivalent to the fiscal year 1999 agreement: Provided further, That of the funds appropriated under this heading, not less than \$150,000,000 should be made available for assistance for Jordan:

Provided further, That of the funds appropriated under this heading, not less than \$25,000,000 should be made available for assistance for East Timor: Provided further, That notwithstanding any other provision of law, not to exceed \$11,000,000 may be used to support victims of and programs related to the Holocaust: Provided further, That notwithstanding any other provision of law, of the funds appropriated under this heading, \$1,000,000 shall be made available to nongovernmental organizations located outside of the People's Republic of China to support activities which preserve cultural traditions and promote sustainable development and environmental conservation in Tibetan communities in that country.

INTERNATIONAL FUND FOR IRELAND

For necessary expenses to carry out the provisions of chapter 4 of part II of the Foreign Assistance Act of 1961, \$19,600,000, which shall be available for the United States contribution to the International Fund for Ireland and shall be made available in accordance with the provisions of the Anglo-Irish Agreement Support Act of 1986 (Public Law 99-415): Provided, That such amount shall be expended at the minimum rate necessary to make timely payment for projects and activities: Provided further, That funds made available under this heading shall remain available until September 30, 2001.

ASSISTANCE FOR EASTERN EUROPE AND THE BALTIC STATES

(a) For necessary expenses to carry out the provisions of the Foreign Assistance Act of 1961 and the Support for East European Democracy (SEED) Act of 1989, \$535,000,000, to remain available until September 30, 2001, which shall be available, notwithstanding any other provision of law, for assistance and for related programs for Eastern Europe and the Baltic States: Provided, That of the funds appropriated under this heading not less than \$150,000,000 should be made available for assistance for Kosova: Provided further, That of the funds made available under this heading and the headings "International Narcotics Control and Law Enforcement" and "Economic Support Fund", not to exceed \$130,000,000 shall be made available for Bosnia and Herzegovina: Provided further, That none of the funds made available under this heading for Kosova shall be made available until the Secretary of State certifies that the resources pledged by the United States at the upcoming Kosova donors conference shall not exceed 15 percent of the total resources pledged by all donors: Provided further, That none of the funds made available under this heading for Kosova shall be made available for large scale physical infrastructure reconstruction.

(b) Funds appropriated under this heading or in prior appropriations Acts that are or have been made available for an Enterprise Fund may be deposited by such Fund in interest-bearing accounts prior to the Fund's disbursement of such funds for program purposes. The Fund may retain for such program purposes any interest earned on such deposits without returning such interest to the Treasury of the United States and without further appropriation by the Congress. Funds made available for Enterprise Funds shall be expended at the minimum rate necessary to make timely payment for projects and activities.

(c) Funds appropriated under this heading shall be considered to be economic assistance under the Foreign Assistance Act of 1961 for purposes of making available the administrative authorities contained in that Act for the use of economic assistance.

(d) None of the funds appropriated under this heading may be made available for new housing construction or repair or reconstruction of existing housing in Bosnia and Herzegovina unless directly related to the efforts of United States troops to promote peace in said country.

(e) With regard to funds appropriated under this heading for the economic revitalization pro-

gram in Bosnia and Herzegovina, and local currencies generated by such funds (including the conversion of funds appropriated under this heading into currency used by Bosnia and Herzegovina as local currency and local currency returned or repaid under such program) the Administrator of the Agency for International Development shall provide written approval for grants and loans prior to the obligation and expenditure of funds for such purposes, and prior to the use of funds that have been returned or repaid to any lending facility or grantee.

(f) The provisions of section 532 of this Act shall apply to funds made available under subsection (e) and to funds appropriated under this heading.

(g) The President is authorized to withhold funds appropriated under this heading made available for economic revitalization programs in Bosnia and Herzegovina, if he determines and certifies to the Committees on Appropriations that the Federation of Bosnia and Herzegovina has not complied with article III of annex 1-A of the General Framework Agreement for Peace in Bosnia and Herzegovina concerning the withdrawal of foreign forces, and that intelligence cooperation on training, investigations, and related activities between Iranian officials and Bosnian officials has not been terminated.

ASSISTANCE FOR THE INDEPENDENT STATES OF THE FORMER SOVIET UNION

(a) For necessary expenses to carry out the provisions of chapter 11 of part I of the Foreign Assistance Act of 1961 and the FREEDOM Support Act, for assistance for the Independent States of the former Soviet Union and for related programs, \$839,000,000, to remain available until September 30, 2001: Provided, That the provisions of such chapter shall apply to funds appropriated by this paragraph: Provided further, That such sums as may be necessary may be transferred to the Export-Import Bank of the United States for the cost of any financing under the Export-Import Bank Act of 1945 for activities for the Independent States: Provided further, That of the funds made available for the Southern Caucasus region, 15 percent should be used for confidence-building measures and other activities in furtherance of the peaceful resolution of the regional conflicts, especially those in the vicinity of Abkhazia and Nagorno-Karabagh: Provided further, That of the amounts appropriated under this heading not less than \$20,000,000 shall be made available solely for the Russian Far East: Provided further, That of the funds made available under this heading \$10,000,000 shall be made available for salaries and expenses to carry out the Russian Leadership Program enacted on May 21, 1999 (113 Stat. 93 et seq.).

(b) Of the funds appropriated under this heading, not less than \$180,000,000 should be made available for assistance for Ukraine.

(c) Of the funds appropriated under this heading, not less than 12.92 percent shall be made available for assistance for Georgia.

(d) Of the funds appropriated under this heading, not less than 12.2 percent shall be made available for assistance for Armenia.

(e) Section 907 of the FREEDOM Support Act shall not apply to—

(1) activities to support democracy or assistance under title V of the FREEDOM Support Act and section 1424 of Public Law 104-201;

(2) any assistance provided by the Trade and Development Agency under section 661 of the Foreign Assistance Act of 1961 (22 U.S.C. 2421);

(3) any activity carried out by a member of the United States and Foreign Commercial Service while acting within his or her official capacity;

(4) any insurance, reinsurance, guarantee, or other assistance provided by the Overseas Private Investment Corporation under title IV of chapter 2 of part I of the Foreign Assistance Act of 1961 (22 U.S.C. 2191 et seq.);

(5) any financing provided under the Export-Import Bank Act of 1945; or

(6) humanitarian assistance.

(f) Of the funds made available under this heading for nuclear safety activities, not to exceed 9 percent of the funds provided for any single project may be used to pay for management costs incurred by a United States national lab in administering said project.

(g) Not more than 25 percent of the funds appropriated under this heading may be made available for assistance for any country in the region. Activities authorized under title V (nonproliferation and disarmament programs and activities) of the FREEDOM Support Act shall not be counted against the 25 percent limitation.

(h) Of the funds appropriated under title II of this Act not less than \$12,000,000 should be made available for assistance for Mongolia of which not less than \$6,000,000 should be made available from funds appropriated under this heading: Provided, That funds made available for assistance for Mongolia may be made available in accordance with the purposes and utilizing the authorities provided in chapter 11 of part I of the Foreign Assistance Act of 1961.

(i) (1) Of the funds appropriated under this heading that are allocated for assistance for the Government of the Russian Federation, 50 percent shall be withheld from obligation until the President determines and certifies in writing to the Committees on Appropriations that the Government of the Russian Federation has terminated implementation of arrangements to provide Iran with technical expertise, training, technology, or equipment necessary to develop a nuclear reactor, related nuclear research facilities or programs, or ballistic missile capability.

(2) Paragraph (1) shall not apply to—

(A) assistance to combat infectious diseases and child survival activities; and

(B) activities authorized under title V (Nonproliferation and Disarmament Programs and Activities) of the FREEDOM Support Act.

(j) None of the funds appropriated under this heading may be made available for the Government of the Russian Federation, until the Secretary of State certifies to the Committees on Appropriations that: (1) Russian armed and peacekeeping forces deployed in Kosova have not established a separate sector of operational control; and (2) any Russian armed forces deployed in Kosova are operating under NATO unified command and control arrangements.

(k) Of the funds appropriated under this title, not less than \$14,700,000 shall be made available for maternal and neo-natal health activities in the independent states of the former Soviet Union, of which at least 60 percent should be made available for the preventive care and treatment of mothers and infants in Russia.

#### INDEPENDENT AGENCY

##### PEACE CORPS

For necessary expenses to carry out the provisions of the Peace Corps Act (75 Stat. 612), \$245,000,000, including the purchase of not to exceed five passenger motor vehicles for administrative purposes for use outside of the United States: Provided, That none of the funds appropriated under this heading shall be used to pay for abortions: Provided further, That funds appropriated under this heading shall remain available until September 30, 2001.

#### DEPARTMENT OF STATE

##### INTERNATIONAL NARCOTICS CONTROL AND LAW ENFORCEMENT

For necessary expenses to carry out section 481 of the Foreign Assistance Act of 1961, \$305,000,000, of which \$21,000,000 shall become available for obligation on September 30, 2000, and remain available until expended: Provided, That of this amount not less than \$10,000,000 should be made available for Law Enforcement Training and Demand Reduction: Provided further, That any funds made available under this heading for anti-crime programs and activities

shall be made available subject to the regular notification procedures of the Committees on Appropriations: Provided further, That during fiscal year 2000, the Department of State may also use the authority of section 608 of the Foreign Assistance Act of 1961, without regard to its restrictions, to receive excess property from an agency of the United States Government for the purpose of providing it to a foreign country under chapter 8 of part I of that Act subject to the regular notification procedures of the Committees on Appropriations: Provided further, That in addition to any funds previously made available to establish and operate the International Law Enforcement Academy for the Western Hemisphere, not less than \$5,000,000 shall be made available to establish and operate the International Law Enforcement Academy for the Western Hemisphere at the deBremmond Training Center in Roswell, New Mexico.

##### MIGRATION AND REFUGEE ASSISTANCE

For expenses, not otherwise provided for, necessary to enable the Secretary of State to provide, as authorized by law, a contribution to the International Committee of the Red Cross, assistance to refugees, including contributions to the International Organization for Migration and the United Nations High Commissioner for Refugees, and other activities to meet refugee and migration needs; salaries and expenses of personnel and dependents as authorized by the Foreign Service Act of 1980; allowances as authorized by sections 5921 through 5925 of title 5, United States Code; purchase and hire of passenger motor vehicles; and services as authorized by section 3109 of title 5, United States Code, \$625,000,000, of which \$21,000,000 shall become available for obligation on September 30, 2000, and remain available until expended: Provided, That not more than \$13,800,000 shall be available for administrative expenses: Provided further, That not less than \$60,000,000 shall be made available for refugees from the former Soviet Union and Eastern Europe and other refugees resettling in Israel.

##### UNITED STATES EMERGENCY REFUGEE AND MIGRATION ASSISTANCE FUND

For necessary expenses to carry out the provisions of section 2(c) of the Migration and Refugee Assistance Act of 1962, as amended (22 U.S.C. 260(c)), \$12,500,000, to remain available until expended: Provided, That the funds made available under this heading are appropriated notwithstanding the provisions contained in section 2(c)(2) of the Act which would limit the amount of funds which could be appropriated for this purpose.

##### NONPROLIFERATION, ANTI-TERRORISM, DEMINING AND RELATED PROGRAMS

For necessary expenses for nonproliferation, anti-terrorism and related programs and activities, \$216,600,000, to carry out the provisions of chapter 8 of part II of the Foreign Assistance Act of 1961 for anti-terrorism assistance, section 504 of the FREEDOM Support Act for the Nonproliferation and Disarmament Fund, section 23 of the Arms Export Control Act or the Foreign Assistance Act of 1961 for demining activities, the clearance of unexploded ordnance, and related activities, notwithstanding any other provision of law, including activities implemented through nongovernmental and international organizations, section 301 of the Foreign Assistance Act of 1961 for a voluntary contribution to the International Atomic Energy Agency (IAEA) and a voluntary contribution to the Korean Peninsula Energy Development Organization (KEDO), and for a United States contribution to the Comprehensive Nuclear Test Ban Treaty Preparatory Commission: Provided, That the Secretary of State shall inform the Committees on Appropriations at least 20 days prior to the obligation of funds for the Comprehensive Nuclear Test Ban Treaty Preparatory Commission: Provided further, That of this amount not to exceed \$15,000,000, to remain available until expended, may be made available for the Non-

proliferation and Disarmament Fund, notwithstanding any other provision of law, to promote bilateral and multilateral activities relating to nonproliferation and disarmament: Provided further, That such funds may also be used for such countries other than the Independent States of the former Soviet Union and international organizations when it is in the national security interest of the United States to do so: Provided further, That such funds shall be subject to the regular notification procedures of the Committees on Appropriations: Provided further, That funds appropriated under this heading may be made available for the International Atomic Energy Agency only if the Secretary of State determines (and so reports to the Congress) that Israel is not being denied its right to participate in the activities of that Agency: Provided further, That of the funds appropriated under this heading, \$40,000,000 should be made available for demining, clearance of unexploded ordnance, and related activities: Provided further, That of the funds made available for demining and related activities, not to exceed \$500,000, in addition to funds otherwise available for such purposes, may be used for administrative expenses related to the operation and management of the demining program.

#### DEPARTMENT OF THE TREASURY

##### INTERNATIONAL AFFAIRS TECHNICAL ASSISTANCE

For necessary expenses to carry out the provisions of section 129 of the Foreign Assistance Act of 1961 (relating to international affairs technical assistance activities), \$1,500,000, to remain available until expended, which shall be available notwithstanding and other provision of law.

##### DEBT RESTRUCTURING

For the cost, as defined in section 502 of the Congressional Budget Act of 1974, of modifying loans and loan guarantees, as the President may determine, for which funds have been appropriated or otherwise made available for programs within the International Affairs Budget Function 150, including the cost of selling, reducing, or canceling amounts owed to the United States as a result of concessional loans made to eligible countries, pursuant to parts IV and V of the Foreign Assistance Act of 1961 (including up to \$1,000,000 for necessary expenses for the administration of activities carried out under these parts), and of modifying concessional credit agreements with least developed countries, as authorized under section 411 of the Agricultural Trade Development and Assistance Act of 1954, as amended, and concessional loans, guarantees and credit agreements, as authorized under section 572 of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1989 (Public Law 100-461), \$123,000,000, to remain available until expended: Provided, That of this amount, not less than \$13,000,000 shall be made available to carry out the provisions of part V of the Foreign Assistance Act of 1961: Provided, That any limitation of subsection (e) of section 411 of the Agricultural Trade Development and Assistance Act of 1954 shall not apply to funds appropriated hereunder or previously appropriated under this heading: Provided further, That the authority provided by section 572 of Public Law 100-461 may be exercised only with respect to countries that are eligible to borrow from the International Development Association, but not from the International Bank for Reconstruction and Development, commonly referred to as "IDA-only" countries.

##### UNITED STATES COMMUNITY ADJUSTMENT AND INVESTMENT PROGRAM

For the United States Community Adjustment and Investment Program authorized by section 543 of the North American Free Trade Agreement Implementation Act, \$10,000,000, to remain available until September 30, 2001: Provided, That the Secretary may transfer such funds to the North American Development Bank and/or

to one or more Federal agencies for the purpose of enabling the Bank or such Federal agencies to assist in carrying out the program by providing technical assistance, grants, loans, loan guarantees, and other financial subsidies endorsed by the interagency finance committee established by section 7 of Executive Order No. 12916: Provided further, That no portion of such funds may be transferred to the Bank unless the Secretary shall have first entered into an agreement with the Bank that provides that any such funds may not be used for the Bank's administrative expenses: Provided further, That any funds transferred to the Bank under this heading will be in addition to the 10 percent of the paid-in capital paid to the Bank by the United States referred to in section 543 of the Act: Provided further, That any funds transferred to any Federal agency under this heading will be in addition to amounts otherwise provided to such agency: Provided further, That any funds transferred to an agency under this heading shall be subject to the same terms and conditions as the account to which transferred.

**TITLE III—MILITARY ASSISTANCE**  
**FUNDS APPROPRIATED TO THE PRESIDENT**  
**INTERNATIONAL MILITARY EDUCATION AND TRAINING**

For necessary expenses to carry out the provisions of section 541 of the Foreign Assistance Act of 1961, \$50,000,000, of which up to \$1,000,000 may remain available until expended: Provided, That the civilian personnel for whom military education and training may be provided under this heading may include civilians who are not members of a government whose participation would contribute to improved civil-military relations, civilian control of the military, or respect for human rights: Provided further, That funds appropriated under this heading for grant financed military education and training for Indonesia and Guatemala may only be available for expanded international military education and training and funds made available for Guatemala may only be provided through the regular notification procedures of the Committees on Appropriations: Provided further, That none of the funds appropriated under this heading may be made available to support grant financed military education and training at the School of the Americas unless the Secretary of Defense certifies that the instruction and training provided by the School of the Americas is fully consistent with training and doctrine, particularly with respect to the observance of human rights, provided by the Department of Defense to United States military students at Department of Defense institutions whose primary purpose is to train United States military personnel: Provided further, That the Secretary of Defense shall submit to the Committees on Appropriations, no later than January 15, 2000, a report detailing the training activities of the School of the Americas and a general assessment regarding the performance of its graduates during 1997 and 1998.

**FOREIGN MILITARY FINANCING PROGRAM**

For expenses necessary for grants to enable the President to carry out the provisions of section 23 of the Arms Export Control Act, \$3,420,000,000: Provided, That of the funds appropriated under this heading, not less than \$1,920,000,000 shall be available for grants only for Israel, and not less than \$1,300,000,000 shall be made available for grants only for Egypt: Provided further, That the funds appropriated by this paragraph for Israel shall be disbursed within 30 days of the enactment of this Act or by October 31, 1999, whichever is later: Provided further, That to the extent that the Government of Israel requests that funds be used for such purposes, grants made available for Israel by this paragraph shall, as agreed by Israel and the United States, be available for advanced weapons systems, of which not less than 26.3 percent shall be available for the procurement in Israel of defense articles and defense services,

including research and development: Provided further, That of the funds appropriated by this paragraph, not less than \$75,000,000 should be available for assistance for Jordan: Provided further, That of the funds appropriated by this paragraph, not less than \$7,000,000 shall be made available for assistance for Tunisia: Provided further, That during fiscal year 2000, the President is authorized to, and shall, direct the draw-downs of defense articles from the stocks of the Department of Defense, defense services of the Department of Defense, and military education and training of an aggregate value of not less than \$4,000,000 under the authority of this proviso for Tunisia for the purposes of part II of the Foreign Assistance Act of 1961 and any amount so directed shall count toward meeting the earmark in the preceding proviso: Provided further, That of the funds appropriated by this paragraph up to \$1,000,000 should be made available for assistance for Ecuador and shall be subject to the regular notification procedures of the Committees on Appropriations: Provided further, That funds appropriated by this paragraph shall be nonrepayable notwithstanding any requirement in section 23 of the Arms Export Control Act: Provided further, That funds made available under this paragraph shall be obligated upon apportionment in accordance with paragraph (5)(C) of title 31, United States Code, section 1501(a).

None of the funds made available under this heading shall be available to finance the procurement of defense articles, defense services, or design and construction services that are not sold by the United States Government under the Arms Export Control Act unless the foreign country proposing to make such procurements has first signed an agreement with the United States Government specifying the conditions under which such procurements may be financed with such funds: Provided, That all country and funding level increases in allocations shall be submitted through the regular notification procedures of section 515 of this Act: Provided further, That none of the funds appropriated under this heading shall be available for assistance for Sudan and Liberia: Provided further, That funds made available under this heading may be used, notwithstanding any other provision of law, for demining, the clearance of unexploded ordnance, and related activities, and may include activities implemented through nongovernmental and international organizations: Provided further, That none of the funds appropriated under this heading shall be available for assistance for Guatemala: Provided further, That only those countries for which assistance was justified for the "Foreign Military Sales Financing Program" in the fiscal year 1989 congressional presentation for security assistance programs may utilize funds made available under this heading for procurement of defense articles, defense services or design and construction services that are not sold by the United States Government under the Arms Export Control Act: Provided further, That funds appropriated under this heading shall be expended at the minimum rate necessary to make timely payment for defense articles and services: Provided further, That not more than \$30,495,000 of the funds appropriated under this heading may be obligated for necessary expenses, including the purchase of passenger motor vehicles for replacement only for use outside of the United States, for the general costs of administering military assistance and sales: Provided further, That not more than \$330,000,000 of funds realized pursuant to section 21(e)(1)(A) of the Arms Export Control Act may be obligated for expenses incurred by the Department of Defense during fiscal year 2000 pursuant to section 43(b) of the Arms Export Control Act, except that this limitation may be exceeded only through the regular notification procedures of the Committees on Appropriations: Provided further, That not later than 45 days after the date of the enactment of this Act, the Secretary

of Defense shall report to the Committees on Appropriations regarding the appropriate host institution to support and advance the efforts of the Defense Institute for International and Legal Studies in both legal and political education: Provided further, That none of the funds made available under this heading shall be available for any non-NATO country participating in the Partnership for Peace Program except through the regular notification procedures of the Committees on Appropriations.

**PEACEKEEPING OPERATIONS**

For necessary expenses to carry out the provisions of section 551 of the Foreign Assistance Act of 1961, \$153,000,000: Provided, That none of the funds appropriated under this heading shall be obligated or expended except as provided through the regular notification procedures of the Committees on Appropriations.

**TITLE IV—MULTILATERAL ECONOMIC ASSISTANCE**

**FUNDS APPROPRIATED TO THE PRESIDENT**  
**INTERNATIONAL FINANCIAL INSTITUTIONS**

**GLOBAL ENVIRONMENT FACILITY**

For the United States contribution for the Global Environment Facility, \$35,800,000, to the International Bank for Reconstruction and Development as trustee for the Global Environment Facility, by the Secretary of the Treasury, to remain available until expended.

**CONTRIBUTION TO THE INTERNATIONAL DEVELOPMENT ASSOCIATION**

For payment to the International Development Association by the Secretary of the Treasury, \$775,000,000, to remain available until expended.

**CONTRIBUTION TO THE MULTILATERAL INVESTMENT GUARANTEE AGENCY**

For payment to the Multilateral Investment Guarantee Agency by the Secretary of the Treasury, \$4,000,000, for the United States paid-in share of the increase in capital stock, to remain available until expended.

**LIMITATION ON CALLABLE CAPITAL**

The United States Governor of the Multilateral Investment Guarantee Agency may subscribe without fiscal year limitation for the callable capital portion of the United States share of such capital stock in an amount not to exceed \$20,000,000.

**CONTRIBUTION TO THE INTER-AMERICAN INVESTMENT CORPORATION**

For payment to the Inter-American Investment Corporation, by the Secretary of the Treasury, \$16,000,000, for the United States share of the increase in subscriptions to capital stock, to remain available until expended.

**CONTRIBUTION TO THE INTER-AMERICAN DEVELOPMENT BANK**

For payment to the Inter-American Development Bank by the Secretary of the Treasury, for the United States share of the paid-in share portion of the increase in capital stock, \$25,610,667.

**LIMITATION ON CALLABLE CAPITAL SUBSCRIPTIONS**

The United States Governor of the Inter-American Development Bank may subscribe without fiscal year limitation to the callable capital portion of the United States share of such capital stock in an amount not to exceed \$1,503,718,910.

**CONTRIBUTION TO THE ASIAN DEVELOPMENT BANK**

For payment to the Asian Development Bank by the Secretary of the Treasury for the United States share of the paid-in portion of the increase in capital stock, \$13,728,263, to remain available until expended.

**LIMITATION ON CALLABLE CAPITAL SUBSCRIPTIONS**

The United States Governor of the Asian Development Bank may subscribe without fiscal year limitation to the callable capital portion of the United States share of such capital stock in an amount not to exceed \$672,745,205.

## CONTRIBUTION TO THE ASIAN DEVELOPMENT FUND

For the United States contribution by the Secretary of the Treasury to the increase in resources of the Asian Development Fund, as authorized by the Asia Development Bank Act, as amended, \$77,000,000, to remain available until expended, for contributions previously due.

## CONTRIBUTION TO THE AFRICAN DEVELOPMENT BANK

For payment to the African Development Bank by the Secretary of the Treasury, \$4,100,000, for the United States paid-in share of the increase in capital stock, to remain available until expended.

## LIMITATION ON CALLABLE CAPITAL SUBSCRIPTIONS

The United States Governor of the African Development Bank may subscribe without fiscal year limitation for the callable capital portion of the United States share of such capital stock in an amount not to exceed \$64,000,000.

## CONTRIBUTION TO THE AFRICAN DEVELOPMENT FUND

For the United States contribution by the Secretary of the Treasury to the increase in resources of the African Development Fund, \$128,000,000, to remain available until expended.

## CONTRIBUTION TO THE EUROPEAN BANK FOR RECONSTRUCTION AND DEVELOPMENT

For payment to the European Bank for Reconstruction and Development by the Secretary of the Treasury, \$35,778,717, for the United States share of the paid-in portion of the increase in capital stock, to remain available until expended.

## LIMITATION ON CALLABLE CAPITAL SUBSCRIPTIONS

The United States Governor of the European Bank for Reconstruction and Development may subscribe without fiscal year limitation to the callable capital portion of the United States share of such capital stock in an amount not to exceed \$123,237,803.

## INTERNATIONAL ORGANIZATIONS AND PROGRAMS

For necessary expenses to carry out the provisions of section 301 of the Foreign Assistance Act of 1961, and of section 2 of the United Nations Environment Program Participation Act of 1973, \$183,000,000: Provided, That none of the funds appropriated under this heading shall be made available for the United Nations Fund for Science and Technology: Provided further, That not less than \$5,000,000 should be made available to the World Food Program: Provided further, That none of the funds appropriated under this heading may be made available to the Korean Peninsula Energy Development Organization (KEDO) or the International Atomic Energy Agency (IAEA).

## TITLE V—GENERAL PROVISIONS

## OBLIGATIONS DURING LAST MONTH OF AVAILABILITY

SEC. 501. Except for the appropriations entitled "International Disaster Assistance", and "United States Emergency Refugee and Migration Assistance Fund", not more than 15 percent of any appropriation item made available by this Act shall be obligated during the last month of availability.

## PROHIBITION OF BILATERAL FUNDING FOR INTERNATIONAL FINANCIAL INSTITUTIONS

SEC. 502. Notwithstanding section 614 of the Foreign Assistance Act of 1961, none of the funds contained in title II of this Act may be used to carry out the provisions of section 209(d) of the Foreign Assistance Act of 1961: Provided, That none of the funds appropriated by title II of this Act may be transferred by the Agency for International Development directly to an international financial institution (as defined in section 533 of this Act) for the purpose of repaying a foreign country's loan obligations to such institution.

## LIMITATION ON RESIDENCE EXPENSES

SEC. 503. Of the funds appropriated or made available pursuant to this Act, not to exceed

\$126,500 shall be for official residence expenses of the Agency for International Development during the current fiscal year: Provided, That appropriate steps shall be taken to assure that, to the maximum extent possible, United States-owned foreign currencies are utilized in lieu of dollars.

## LIMITATION ON EXPENSES

SEC. 504. Of the funds appropriated or made available pursuant to this Act, not to exceed \$5,000 shall be for entertainment expenses of the Agency for International Development during the current fiscal year.

## LIMITATION ON REPRESENTATIONAL ALLOWANCES

SEC. 505. Of the funds appropriated or made available pursuant to this Act, not to exceed \$95,000 shall be available for representation allowances for the Agency for International Development during the current fiscal year: Provided, That appropriate steps shall be taken to assure that, to the maximum extent possible, United States-owned foreign currencies are utilized in lieu of dollars: Provided further, That of the funds made available by this Act for general costs of administering military assistance and sales under the heading "Foreign Military Financing Program", not to exceed \$2,000 shall be available for entertainment expenses and not to exceed \$50,000 shall be available for representation allowances: Provided further, That of the funds made available by this Act under the heading "International Military Education and Training", not to exceed \$50,000 shall be available for entertainment allowances: Provided further, That of the funds made available by this Act for the Inter-American Foundation, not to exceed \$2,000 shall be available for entertainment and representation allowances: Provided further, That of the funds made available by this Act for the Peace Corps, not to exceed a total of \$4,000 shall be available for entertainment expenses: Provided further, That of the funds made available by this Act under the heading "Trade and Development Agency", not to exceed \$2,000 shall be available for representation and entertainment allowances.

## PROHIBITION ON FINANCING NUCLEAR GOODS

SEC. 506. None of the funds appropriated or made available (other than funds for "Non-proliferation, Anti-terrorism, Demining and Related Programs") pursuant to this Act, for carrying out the Foreign Assistance Act of 1961, may be used, except for purposes of nuclear safety, to finance the export of nuclear equipment, fuel, or technology.

## PROHIBITION AGAINST DIRECT FUNDING FOR CERTAIN COUNTRIES

SEC. 507. None of the funds appropriated or otherwise made available pursuant to this Act shall be obligated or expended to finance directly any assistance or reparations to Cuba, Iraq, Libya, North Korea, Iran, Sudan, or Syria: Provided, That for purposes of this section, the prohibition on obligations or expenditures shall include direct loans, credits, insurance and guarantees of the Export-Import Bank or its agents.

## MILITARY COUPS

SEC. 508. None of the funds appropriated or otherwise made available pursuant to this Act shall be obligated or expended to finance directly any assistance to any country whose duly elected head of government is deposed by military coup or decree: Provided, That assistance may be resumed to such country if the President determines and reports to the Committees on Appropriations that subsequent to the termination of assistance a democratically elected government has taken office.

## TRANSFERS BETWEEN ACCOUNTS

SEC. 509. None of the funds made available by this Act may be obligated under an appropriation account to which they were not appropriated, except for transfers specifically provided for in this Act, unless the President, prior to the exercise of any authority contained in the

Foreign Assistance Act of 1961 to transfer funds, consults with and provides a written policy justification to the Committees on Appropriations of the House of Representatives and the Senate.

## DEOBLIGATION/REOBLIGATION AUTHORITY

SEC. 510. (a) Amounts certified pursuant to section 1311 of the Supplemental Appropriations Act, 1955, as having been obligated against appropriations heretofore made under the authority of the Foreign Assistance Act of 1961 for the same general purpose as any of the headings under title II of this Act are, if deobligated, hereby continued available for the same period as the respective appropriations under such headings or until September 30, 2000, whichever is later, and for the same general purpose, and for countries within the same region as originally obligated: Provided, That the Appropriations Committees of both Houses of the Congress are notified 15 days in advance of the reobligation of such funds in accordance with regular notification procedures of the Committees on Appropriations.

(b) Obligated balances of funds appropriated to carry out section 23 of the Arms Export Control Act as of the end of the fiscal year immediately preceding the current fiscal year are, if deobligated, hereby continued available during the current fiscal year for the same purpose under any authority applicable to such appropriations under this Act: Provided, That the authority of this subsection may not be used in fiscal year 2000.

## AVAILABILITY OF FUNDS

SEC. 511. No part of any appropriation contained in this Act shall remain available for obligation after the expiration of the current fiscal year unless expressly so provided in this Act: Provided, That funds appropriated for the purposes of chapters 1, 8, and 11 of part I, section 667, and chapter 4 of part II of the Foreign Assistance Act of 1961, as amended, and funds provided under the heading "Assistance for Eastern Europe and the Baltic States", shall remain available until expended if such funds are initially obligated before the expiration of their respective periods of availability contained in this Act: Provided further, That, notwithstanding any other provision of this Act, any funds made available for the purposes of chapter 1 of part I and chapter 4 of part II of the Foreign Assistance Act of 1961 which are allocated or obligated for cash disbursements in order to address balance of payments or economic policy reform objectives, shall remain available until expended: Provided further, That the report required by section 653(a) of the Foreign Assistance Act of 1961 shall designate for each country, to the extent known at the time of submission of such report, those funds allocated for cash disbursement for balance of payment and economic policy reform purposes.

## LIMITATION ON ASSISTANCE TO COUNTRIES IN DEFAULT

SEC. 512. No part of any appropriation contained in this Act shall be used to furnish assistance to any country which is in default during a period in excess of one calendar year in payment to the United States of principal or interest on any loan made to such country by the United States pursuant to a program for which funds are appropriated under this Act: Provided, That this section and section 620(q) of the Foreign Assistance Act of 1961 shall not apply to funds made available for any narcotics-related assistance for Colombia, Bolivia, and Peru authorized by the Foreign Assistance Act of 1961 or the Arms Export Control Act.

## COMMERCE AND TRADE

SEC. 513. (a) None of the funds appropriated or made available pursuant to this Act for direct assistance and none of the funds otherwise made available pursuant to this Act to the Export-Import Bank and the Overseas Private Investment Corporation shall be obligated or expended to finance any loan, any assistance or

any other financial commitments for establishing or expanding production of any commodity for export by any country other than the United States, if the commodity is likely to be in surplus on world markets at the time the resulting productive capacity is expected to become operative and if the assistance will cause substantial injury to United States producers of the same, similar, or competing commodity: Provided, That such prohibition shall not apply to the Export-Import Bank if in the judgment of its Board of Directors the benefits to industry and employment in the United States are likely to outweigh the injury to United States producers of the same, similar, or competing commodity, and the Chairman of the Board so notifies the Committees on Appropriations.

(b) None of the funds appropriated by this or any other Act to carry out chapter 1 of part I of the Foreign Assistance Act of 1961 shall be available for any testing or breeding feasibility study, variety improvement or introduction, consultancy, publication, conference, or training in connection with the growth or production in a foreign country of an agricultural commodity for export which would compete with a similar commodity grown or produced in the United States: Provided, That this subsection shall not prohibit—

(1) activities designed to increase food security in developing countries where such activities will not have a significant impact in the export of agricultural commodities of the United States; or

(2) research activities intended primarily to benefit American producers.

#### SURPLUS COMMODITIES

SEC. 514. The Secretary of the Treasury shall instruct the United States Executive Directors of the International Bank for Reconstruction and Development, the International Development Association, the International Finance Corporation, the Inter-American Development Bank, the International Monetary Fund, the Asian Development Bank, the Inter-American Investment Corporation, the North American Development Bank, the European Bank for Reconstruction and Development, the African Development Bank, and the African Development Fund to use the voice and vote of the United States to oppose any assistance by these institutions, using funds appropriated or made available pursuant to this Act, for the production or extraction of any commodity or mineral for export, if it is in surplus on world markets and if the assistance will cause substantial injury to United States producers of the same, similar, or competing commodity.

#### NOTIFICATION REQUIREMENTS

SEC. 515. (a) For the purposes of providing the executive branch with the necessary administrative flexibility, none of the funds made available under this Act for "Child Survival and Disease Programs Fund", "Development Assistance", "International Organizations and Programs", "Trade and Development Agency", "International Narcotics Control and Law Enforcement", "Assistance for Eastern Europe and the Baltic States", "Assistance for the Independent States of the Former Soviet Union", "Economic Support Fund", "Peacekeeping Operations", "Operating Expenses of the Agency for International Development", "Operating Expenses of the Agency for International Development Office of Inspector General", "Nonproliferation, Anti-terrorism, Demining and Related Programs", "Foreign Military Financing Program", "International Military Education and Training", "Peace Corps", and "Migration and Refugee Assistance", shall be available for obligation for activities, programs, projects, type of materiel assistance, countries, or other operations not justified or in excess of the amount justified to the Appropriations Committees for obligation under any of these specific headings unless the Appropriations Committees of both Houses of Congress are previously notified 15

days in advance: Provided, That the President shall not enter into any commitment of funds appropriated for the purposes of section 23 of the Arms Export Control Act for the provision of major defense equipment, other than conventional ammunition, or other major defense items defined to be aircraft, ships, missiles, or combat vehicles, not previously justified to Congress or 20 percent in excess of the quantities justified to Congress unless the Committees on Appropriations are notified 15 days in advance of such commitment: Provided further, That this section shall not apply to any reprogramming for an activity, program, or project under chapter 1 of part I of the Foreign Assistance Act of 1961 of less than 10 percent of the amount previously justified to the Congress for obligation for such activity, program, or project for the current fiscal year: Provided further, That the requirements of this section or any similar provision of this Act or any other Act, including any prior Act requiring notification in accordance with the regular notification procedures of the Committees on Appropriations, may be waived if failure to do so would pose a substantial risk to human health or welfare: Provided further, That in case of any such waiver, notification to the Congress, or the appropriate congressional committees, shall be provided as early as practicable, but in no event later than 3 days after taking the action to which such notification requirement was applicable, in the context of the circumstances necessitating such waiver: Provided further, That any notification provided pursuant to such a waiver shall contain an explanation of the emergency circumstances.

(b) Drawdowns made pursuant to section 506(a)(2) of the Foreign Assistance Act of 1961 shall be subject to the regular notification procedures of the Committees on Appropriations.

#### LIMITATION ON AVAILABILITY OF FUNDS FOR INTERNATIONAL ORGANIZATIONS AND PROGRAMS

SEC. 516. Subject to the regular notification procedures of the Committees on Appropriations, funds appropriated under this Act or any previously enacted Act making appropriations for foreign operations, export financing, and related programs, which are returned or not made available for organizations and programs because of the implementation of section 307(a) of the Foreign Assistance Act of 1961, shall remain available for obligation until September 30, 2001.

#### INDEPENDENT STATES OF THE FORMER SOVIET UNION

SEC. 517. (a) None of the funds appropriated under the heading "Assistance for the Independent States of the Former Soviet Union" shall be made available for assistance for a government of an Independent State of the former Soviet Union—

(1) unless that government is making progress in implementing comprehensive economic reforms based on market principles, private ownership, respect for commercial contracts, and equitable treatment of foreign private investment; and

(2) if that government applies or transfers United States assistance to any entity for the purpose of expropriating or seizing ownership or control of assets, investments, or ventures.

Assistance may be furnished without regard to this subsection if the President determines that to do so is in the national interest.

(b) None of the funds appropriated under the heading "Assistance for the Independent States of the Former Soviet Union" shall be made available for assistance for a government of an Independent State of the former Soviet Union if that government directs any action in violation of the territorial integrity or national sovereignty of any other Independent State of the former Soviet Union, such as those violations included in the Helsinki Final Act: Provided, That such funds may be made available without regard to the restriction in this subsection if the President determines that to do so is in the national security interest of the United States.

(c) None of the funds appropriated under the heading "Assistance for the Independent States of the Former Soviet Union" shall be made available for any state to enhance its military capability: Provided, That this restriction does not apply to demilitarization, demining or non-proliferation programs.

(d) Funds appropriated under the heading "Assistance for the Independent States of the Former Soviet Union" shall be subject to the regular notification procedures of the Committees on Appropriations.

(e) Funds made available in this Act for assistance for the Independent States of the former Soviet Union shall be subject to the provisions of section 117 (relating to environment and natural resources) of the Foreign Assistance Act of 1961.

(f) Funds appropriated in this or prior appropriations Acts that are or have been made available for an Enterprise Fund in the Independent States of the Former Soviet Union may be deposited by such Fund in interest-bearing accounts prior to the disbursement of such funds by the Fund for program purposes. The Fund may retain for such program purposes any interest earned on such deposits without returning such interest to the Treasury of the United States and without further appropriation by the Congress. Funds made available for Enterprise Funds shall be expended at the minimum rate necessary to make timely payment for projects and activities.

(g) In issuing new task orders, entering into contracts, or making grants, with funds appropriated in this Act or prior appropriations Acts under the headings "Assistance for the New Independent States of the Former Soviet Union" and "Assistance for the Independent States of the Former Soviet Union", for projects or activities that have as one of their primary purposes the fostering of private sector development, the Coordinator for United States Assistance to the New Independent States and the implementing agency shall encourage the participation of and give significant weight to contractors and grantees who propose investing a significant amount of their own resources (including volunteer services and in-kind contributions) in such projects and activities.

#### PROHIBITION ON FUNDING FOR ABORTIONS AND INVOLUNTARY STERILIZATION

SEC. 518. None of the funds made available to carry out part I of the Foreign Assistance Act of 1961, as amended, may be used to pay for the performance of abortions as a method of family planning or to motivate or coerce any person to practice abortions. None of the funds made available to carry out part I of the Foreign Assistance Act of 1961, as amended, may be used to pay for the performance of involuntary sterilization as a method of family planning or to coerce or provide any financial incentive to any person to undergo sterilizations. None of the funds made available to carry out part I of the Foreign Assistance Act of 1961, as amended, may be used to pay for any biomedical research which relates in whole or in part, to methods of, or the performance of, abortions or involuntary sterilization as a means of family planning. None of the funds made available to carry out part I of the Foreign Assistance Act of 1961, as amended, may be obligated or expended for any country or organization if the President certifies that the use of these funds by any such country or organization would violate any of the above provisions related to abortions and involuntary sterilizations: Provided, That none of the funds made available under this Act may be used to lobby for or against abortion.

#### EXPORT FINANCING TRANSFER AUTHORITIES

SEC. 519. Not to exceed 5 percent of any appropriation other than for administrative expenses made available for fiscal year 2000, for programs under title I of this Act may be transferred between such appropriations for use for any of the purposes, programs, and activities for



which the funds in such receiving account may be used, but no such appropriation, except as otherwise specifically provided, shall be increased by more than 25 percent by any such transfer: Provided, That the exercise of such authority shall be subject to the regular notification procedures of the Committees on Appropriations.

#### SPECIAL NOTIFICATION REQUIREMENTS

SEC. 520. None of the funds appropriated by this Act shall be obligated or expended for Colombia, Haiti, Liberia, Pakistan, Panama, Serbia, Sudan, or the Democratic Republic of Congo except as provided through the regular notification procedures of the Committees on Appropriations.

#### DEFINITION OF PROGRAM, PROJECT, AND ACTIVITY

SEC. 521. For the purpose of this Act, "program, project, and activity" shall be defined at the appropriations Act account level and shall include all appropriations and authorizations Acts earmarks, ceilings, and limitations with the exception that for the following accounts: Economic Support Fund and Foreign Military Financing Program, "program, project, and activity" shall also be considered to include country, regional, and central program level funding within each such account; for the development assistance accounts of the Agency for International Development "program, project, and activity" shall also be considered to include central program level funding, either as: (1) justified to the Congress; or (2) allocated by the executive branch in accordance with a report, to be provided to the Committees on Appropriations within 30 days of the enactment of this Act, as required by section 653(a) of the Foreign Assistance Act of 1961.

#### CHILD SURVIVAL AND DISEASE PREVENTION ACTIVITIES

SEC. 522. Up to \$10,000,000 of the funds made available by this Act for assistance under the heading "Child Survival and Disease Programs Fund", may be used to reimburse United States Government agencies, agencies of State governments, institutions of higher learning, and private and voluntary organizations for the full cost of individuals (including for the personal services of such individuals) detailed or assigned to, or contracted by, as the case may be, the Agency for International Development for the purpose of carrying out child survival, basic education, and infectious disease activities: Provided, That up to \$1,500,000 of the funds made available by this Act for assistance under the heading "Development Assistance" may be used to reimburse such agencies, institutions, and organizations for such costs of such individuals carrying out other development assistance activities: Provided further, That funds appropriated by this Act that are made available for child survival activities or disease programs including activities relating to research on, and the prevention, treatment and control of, Acquired Immune Deficiency Syndrome may be made available notwithstanding any provision of law that restricts assistance to foreign countries: Provided further, That funds appropriated under title II of this Act may be made available pursuant to section 301 of the Foreign Assistance Act of 1961 if a primary purpose of the assistance is for child survival and related programs: Provided further, That funds appropriated by this Act that are made available for family planning activities may be made available notwithstanding section 512 of this Act and section 620(q) of the Foreign Assistance Act of 1961.

#### PROHIBITION AGAINST INDIRECT FUNDING TO CERTAIN COUNTRIES

SEC. 523. None of the funds appropriated or otherwise made available pursuant to this Act shall be obligated to finance indirectly any assistance or reparations to Cuba, Iraq, Libya, Iran, Syria, North Korea, or the People's Republic of China, unless the President of the United States certifies that the withholding of

these funds is contrary to the national interest of the United States.

#### NOTIFICATION ON EXCESS DEFENSE EQUIPMENT

SEC. 524. Prior to providing excess Department of Defense articles in accordance with section 516(a) of the Foreign Assistance Act of 1961, the Department of Defense shall notify the Committees on Appropriations to the same extent and under the same conditions as are other committees pursuant to subsection (f) of that section: Provided, That before issuing a letter of offer to sell excess defense articles under the Arms Export Control Act, the Department of Defense shall notify the Committees on Appropriations in accordance with the regular notification procedures of such Committees: Provided further, That such Committees shall also be informed of the original acquisition cost of such defense articles.

#### AUTHORIZATION REQUIREMENT

SEC. 525. Funds appropriated by this Act may be obligated and expended notwithstanding section 10 of Public Law 91-672 and section 15 of the State Department Basic Authorities Act of 1956.

#### DEMOCRACY IN CHINA

SEC. 526. Notwithstanding any other provision of law that restricts assistance to foreign countries, funds appropriated by this Act for "Economic Support Fund" may be made available to provide general support and grants for nongovernmental organizations located outside the People's Republic of China that have as their primary purpose fostering democracy in that country, and for activities of nongovernmental organizations located outside the People's Republic of China to foster democracy in that country: Provided, That none of the funds made available for activities to foster democracy in the People's Republic of China may be made available for assistance to the government of that country, except that funds appropriated by this Act under the heading "Economic Support Fund" that are made available for the National Endowment for Democracy or its grantees may be made available for activities to foster democracy in that country notwithstanding this proviso and any other provision of law: Provided further, That funds made available pursuant to the authority of this section shall be subject to the regular notification procedures of the Committees on Appropriations: Provided further, That notwithstanding any other provision of law that restricts assistance to foreign countries, of the funds appropriated by this Act under the heading "Economic Support Fund", \$1,000,000 shall be made available to the Robert F. Kennedy Memorial Center for Human Rights for a project to disseminate information and support research about the People's Republic of China, and related activities.

#### PROHIBITION ON BILATERAL ASSISTANCE TO TERRORIST COUNTRIES

SEC. 527. (a) Notwithstanding any other provision of law, funds appropriated for bilateral assistance under any heading of this Act and funds appropriated under any such heading in a provision of law enacted prior to the enactment of this Act, shall not be made available to any country which the President determines—

(1) grants sanctuary from prosecution to any individual or group which has committed an act of international terrorism; or

(2) otherwise supports international terrorism.

(b) The President may waive the application of subsection (a) to a country if the President determines that national security or humanitarian reasons justify such waiver. The President shall publish each waiver in the Federal Register and, at least 15 days before the waiver takes effect, shall notify the Committees on Appropriations of the waiver (including the justification for the waiver) in accordance with the regular notification procedures of the Committees on Appropriations.

#### COMMERCIAL LEASING OF DEFENSE ARTICLES

SEC. 528. Notwithstanding any other provision of law, and subject to the regular notification

procedures of the Committees on Appropriations, the authority of section 23(a) of the Arms Export Control Act may be used to provide financing to Israel, Egypt and NATO and major non-NATO allies for the procurement by leasing (including leasing with an option to purchase) of defense articles from United States commercial suppliers, not including Major Defense Equipment (other than helicopters and other types of aircraft having possible civilian application), if the President determines that there are compelling foreign policy or national security reasons for those defense articles being provided by commercial lease rather than by government-to-government sale under such Act.

#### COMPETITIVE INSURANCE

SEC. 529. All Agency for International Development contracts and solicitations, and subcontracts entered into under such contracts, shall include a clause requiring that United States insurance companies have a fair opportunity to bid for insurance when such insurance is necessary or appropriate.

#### STINGERS IN THE PERSIAN GULF REGION

SEC. 530. Except as provided in section 581 of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1990, the United States may not sell or otherwise make available any Stingers to any country bordering the Persian Gulf under the Arms Export Control Act or chapter 2 of part II of the Foreign Assistance Act of 1961.

#### DEBT-FOR-DEVELOPMENT

SEC. 531. In order to enhance the continued participation of nongovernmental organizations in economic assistance activities under the Foreign Assistance Act of 1961, including endowments, debt-for-development and debt-for-nature exchanges, a nongovernmental organization which is a grantee or contractor of the Agency for International Development may place in interest bearing accounts funds made available under this Act or prior Acts or local currencies which accrue to that organization as a result of economic assistance provided under title II of this Act and any interest earned on such investment shall be used for the purpose for which the assistance was provided to that organization.

#### SEPARATE ACCOUNTS

SEC. 532. (a) SEPARATE ACCOUNTS FOR LOCAL CURRENCIES.—(1) If assistance is furnished to the government of a foreign country under chapters 1 and 10 of part I or chapter 4 of part II of the Foreign Assistance Act of 1961 under agreements which result in the generation of local currencies of that country, the Administrator of the Agency for International Development shall—

(A) require that local currencies be deposited in a separate account established by that government;

(B) enter into an agreement with that government which sets forth—

(i) the amount of the local currencies to be generated; and

(ii) the terms and conditions under which the currencies so deposited may be utilized, consistent with this section; and

(C) establish by agreement with that government the responsibilities of the Agency for International Development and that government to monitor and account for deposits into and disbursements from the separate account.

(2) USES OF LOCAL CURRENCIES.—As may be agreed upon with the foreign government, local currencies deposited in a separate account pursuant to subsection (a), or an equivalent amount of local currencies, shall be used only—

(A) to carry out chapters 1 or 10 of part I or chapter 4 of part II (as the case may be), for such purposes as—

(i) project and sector assistance activities; or

(ii) debt and deficit financing; or

(B) for the administrative requirements of the United States Government.

(3) PROGRAMMING ACCOUNTABILITY.—The Agency for International Development shall



take all necessary steps to ensure that the equivalent of the local currencies disbursed pursuant to subsection (a)(2)(A) from the separate account established pursuant to subsection (a)(1) are used for the purposes agreed upon pursuant to subsection (a)(2).

(4) **TERMINATION OF ASSISTANCE PROGRAMS.**—Upon termination of assistance to a country under chapters 1 or 10 of part I or chapter 4 of part II (as the case may be), any unencumbered balances of funds which remain in a separate account established pursuant to subsection (a) shall be disposed of for such purposes as may be agreed to by the government of that country and the United States Government.

(5) **REPORTING REQUIREMENT.**—The Administrator of the Agency for International Development shall report on an annual basis as part of the justification documents submitted to the Committees on Appropriations on the use of local currencies for the administrative requirements of the United States Government as authorized in subsection (a)(2)(B), and such report shall include the amount of local currency (and United States dollar equivalent) used and/or to be used for such purpose in each applicable country.

(b) **SEPARATE ACCOUNTS FOR CASH TRANSFERS.**—(1) If assistance is made available to the government of a foreign country, under chapters 1 or 10 of part I or chapter 4 of part II of the Foreign Assistance Act of 1961, as cash transfer assistance or as nonproject sector assistance, that country shall be required to maintain such funds in a separate account and not commingle them with any other funds.

(2) **APPLICABILITY OF OTHER PROVISIONS OF LAW.**—Such funds may be obligated and expended notwithstanding provisions of law which are inconsistent with the nature of this assistance including provisions which are referenced in the Joint Explanatory Statement of the Committee of Conference accompanying House Joint Resolution 648 (House Report No. 98-1159).

(3) **NOTIFICATION.**—At least 15 days prior to obligating any such cash transfer or nonproject sector assistance, the President shall submit a notification through the regular notification procedures of the Committees on Appropriations, which shall include a detailed description of how the funds proposed to be made available will be used, with a discussion of the United States interests that will be served by the assistance (including, as appropriate, a description of the economic policy reforms that will be promoted by such assistance).

(4) **EXEMPTION.**—Nonproject sector assistance funds may be exempt from the requirements of subsection (b)(1) only through the notification procedures of the Committees on Appropriations.

#### COMPENSATION FOR UNITED STATES EXECUTIVE DIRECTORS TO INTERNATIONAL FINANCIAL INSTITUTIONS

SEC. 533. (a) No funds appropriated by this Act may be made as payment to any international financial institution while the United States Executive Director to such institution is compensated by the institution at a rate which, together with whatever compensation such Director receives from the United States, is in excess of the rate provided for an individual occupying a position at level IV of the Executive Schedule under section 5315 of title 5, United States Code, or while any alternate United States Director to such institution is compensated by the institution at a rate in excess of the rate provided for an individual occupying a position at level V of the Executive Schedule under section 5316 of title 5, United States Code.

(b) For purposes of this section, "international financial institutions" are: the International Bank for Reconstruction and Development, the Inter-American Development Bank, the Asian Development Bank, the Asian Development Fund, the African Development Bank, the African Development Fund, the Inter-

national Monetary Fund, the North American Development Bank, and the European Bank for Reconstruction and Development.

#### COMPLIANCE WITH UNITED NATIONS SANCTIONS AGAINST IRAQ

SEC. 534. None of the funds appropriated or otherwise made available pursuant to this Act to carry out the Foreign Assistance Act of 1961 (including title IV of chapter 2 of part I, relating to the Overseas Private Investment Corporation) or the Arms Export Control Act may be used to provide assistance to any country that is not in compliance with the United Nations Security Council sanctions against Iraq unless the President determines and so certifies to the Congress that—

(1) such assistance is in the national interest of the United States;

(2) such assistance will directly benefit the needy people in that country; or

(3) the assistance to be provided will be humanitarian assistance for foreign nationals who have fled Iraq and Kuwait.

#### AUTHORITIES FOR THE PEACE CORPS, INTERNATIONAL FUND FOR AGRICULTURAL DEVELOPMENT, INTER-AMERICAN FOUNDATION AND AFRICAN DEVELOPMENT FOUNDATION

SEC. 535. (a) Unless expressly provided to the contrary, provisions of this or any other Act, including provisions contained in prior Acts authorizing or making appropriations for foreign operations, export financing, and related programs, shall not be construed to prohibit activities authorized by or conducted under the Peace Corps Act, the Inter-American Foundation Act or the African Development Foundation Act. The agency shall promptly report to the Committees on Appropriations whenever it is conducting activities or is proposing to conduct activities in a country for which assistance is prohibited.

(b) Unless expressly provided to the contrary, limitations on the availability of funds for "International Organizations and Programs" in this or any other Act, including prior appropriations Acts, shall not be construed to be applicable to the International Fund for Agricultural Development.

#### IMPACT ON JOBS IN THE UNITED STATES

SEC. 536. None of the funds appropriated by this Act may be obligated or expended to provide—

(a) any financial incentive to a business enterprise currently located in the United States for the purpose of inducing such an enterprise to relocate outside the United States if such incentive or inducement is likely to reduce the number of employees of such business enterprise in the United States because United States production is being replaced by such enterprise outside the United States;

(b) assistance for the purpose of establishing or developing in a foreign country any export processing zone or designated area in which the tax, tariff, labor, environment, and safety laws of that country do not apply, in part or in whole, to activities carried out within that zone or area, unless the President determines and certifies that such assistance is not likely to cause a loss of jobs within the United States; or

(c) assistance for any project or activity that contributes to the violation of internationally recognized workers rights, as defined in section 502(a)(4) of the Trade Act of 1974, of workers in the recipient country, including any designated zone or area in that country: Provided, That in recognition that the application of this subsection should be commensurate with the level of development of the recipient country and sector, the provisions of this subsection shall not preclude assistance for the informal sector in such country, micro and small-scale enterprise, and smallholder agriculture.

#### FUNDING PROHIBITION FOR SERBIA

SEC. 537. None of the funds appropriated by this Act may be made available for assistance for the Republic of Serbia: Provided, That this

restriction shall not apply to assistance for Kosova or Montenegro, or to assistance to promote democratization: Provided further, That section 620(t) of the Foreign Assistance Act of 1961, as amended, shall not apply to Kosova or Montenegro.

#### SPECIAL AUTHORITIES

SEC. 538. (a) Funds appropriated in titles I and II of this Act that are made available for Afghanistan, Lebanon, Montenegro, and for victims of war, displaced children, displaced Burmese, humanitarian assistance for Romania, and humanitarian assistance for the peoples of Kosova, may be made available notwithstanding any other provision of law: Provided, That any such funds that are made available for Cambodia shall be subject to the provisions of section 531(e) of the Foreign Assistance Act of 1961 and section 906 of the International Security and Development Cooperation Act of 1985.

(b) Funds appropriated by this Act to carry out the provisions of sections 103 through 106 of the Foreign Assistance Act of 1961 may be used, notwithstanding any other provision of law, for the purpose of supporting tropical forestry and biodiversity conservation activities and, subject to the regular notification procedures of the Committees on Appropriations, energy programs aimed at reducing greenhouse gas emissions: Provided, That such assistance shall be subject to sections 116, 502B, and 620A of the Foreign Assistance Act of 1961.

(c) The Agency for International Development may employ personal services contractors, notwithstanding any other provision of law, for the purpose of administering programs for the West Bank and Gaza.

(d)(1) **WAIVER.**—The President may waive the provisions of section 1003 of Public Law 100-204 if the President determines and certifies in writing to the Speaker of the House of Representatives and the President pro tempore of the Senate that it is important to the national security interests of the United States.

(2) **PERIOD OF APPLICATION OF WAIVER.**—Any waiver pursuant to paragraph (1) shall be effective for no more than a period of 6 months at a time and shall not apply beyond 12 months after the enactment of this Act.

#### POLICY ON TERMINATING THE ARAB LEAGUE BOYCOTT OF ISRAEL

SEC. 539. It is the sense of the Congress that—

(1) the Arab League countries should immediately and publicly renounce the primary boycott of Israel and the secondary and tertiary boycott of American firms that have commercial ties with Israel;

(2) the decision by the Arab League in 1997 to reinstate the boycott against Israel was deeply troubling and disappointing;

(3) the Arab League should immediately rescind its decision on the boycott and its members should develop normal relations with their neighbor Israel; and

(4) the President should—

(A) take more concrete steps to encourage vigorously Arab League countries to renounce publicly the primary boycotts of Israel and the secondary and tertiary boycotts of American firms that have commercial relations with Israel as a confidence-building measure;

(B) take into consideration the participation of any recipient country in the primary boycott of Israel and the secondary and tertiary boycotts of American firms that have commercial relations with Israel when determining whether to sell weapons to said country;

(C) report to Congress on the specific steps being taken by the President to bring about a public renunciation of the Arab primary boycott of Israel and the secondary and tertiary boycotts of American firms that have commercial relations with Israel and to expand the process of normalizing ties between Arab League countries and Israel; and

(D) encourage the allies and trading partners of the United States to enact laws prohibiting

businesses from complying with the boycott and penalizing businesses that do comply.

#### ANTI-NARCOTICS ACTIVITIES

SEC. 540. Of the funds appropriated or otherwise made available by this Act for "Economic Support Fund", assistance may be provided to strengthen the administration of justice in countries in Latin America and the Caribbean and in other regions consistent with the provisions of section 534(b) of the Foreign Assistance Act of 1961, except that programs to enhance protection of participants in judicial cases may be conducted notwithstanding section 660 of that Act. Funds made available pursuant to this section may be made available notwithstanding section 534(c) and the second and third sentences of section 534(e) of the Foreign Assistance Act of 1961.

#### ELIGIBILITY FOR ASSISTANCE

SEC. 541. (a) ASSISTANCE THROUGH NON-GOVERNMENTAL ORGANIZATIONS.—Restrictions contained in this or any other Act with respect to assistance for a country shall not be construed to restrict assistance in support of programs of nongovernmental organizations from funds appropriated by this Act to carry out the provisions of chapters 1, 10, and 11 of part I and chapter 4 of part II of the Foreign Assistance Act of 1961, and from funds appropriated under the heading "Assistance for Eastern Europe and the Baltic States": Provided, That the President shall take into consideration, in any case in which a restriction on assistance would be applicable but for this subsection, whether assistance in support of programs of nongovernmental organizations is in the national interest of the United States: Provided further, That before using the authority of this subsection to furnish assistance in support of programs of nongovernmental organizations, the President shall notify the Committees on Appropriations under the regular notification procedures of those committees, including a description of the program to be assisted, the assistance to be provided, and the reasons for furnishing such assistance: Provided further, That nothing in this subsection shall be construed to alter any existing statutory prohibitions against abortion or involuntary sterilizations contained in this or any other Act.

(b) PUBLIC LAW 480.—During fiscal year 2000, restrictions contained in this or any other Act with respect to assistance for a country shall not be construed to restrict assistance under the Agricultural Trade Development and Assistance Act of 1954: Provided, That none of the funds appropriated to carry out title I of such Act and made available pursuant to this subsection may be obligated or expended except as provided through the regular notification procedures of the Committees on Appropriations.

(c) EXCEPTION.—This section shall not apply—

(1) with respect to section 620A of the Foreign Assistance Act of 1961 or any comparable provision of law prohibiting assistance to countries that support international terrorism; or

(2) with respect to section 116 of the Foreign Assistance Act of 1961 or any comparable provision of law prohibiting assistance to countries that violate internationally recognized human rights.

#### EARMARKS

SEC. 542. (a) Funds appropriated by this Act which are earmarked may be reprogrammed for other programs within the same account notwithstanding the earmark if compliance with the earmark is made impossible by operation of any provision of this or any other Act or, with respect to a country with which the United States has an agreement providing the United States with base rights or base access in that country, if the President determines that the recipient for which funds are earmarked has significantly reduced its military or economic cooperation with the United States since the enactment of the Foreign Operations, Export Fi-

nancing, and Related Programs Appropriations Act, 1991; however, before exercising the authority of this subsection with regard to a base rights or base access country which has significantly reduced its military or economic cooperation with the United States, the President shall consult with, and shall provide a written policy justification to the Committees on Appropriations: Provided, That any such reprogramming shall be subject to the regular notification procedures of the Committees on Appropriations: Provided further, That assistance that is reprogrammed pursuant to this subsection shall be made available under the same terms and conditions as originally provided.

(b) In addition to the authority contained in subsection (a), the original period of availability of funds appropriated by this Act and administered by the Agency for International Development that are earmarked for particular programs or activities by this or any other Act shall be extended for an additional fiscal year if the Administrator of such agency determines and reports promptly to the Committees on Appropriations that the termination of assistance to a country or a significant change in circumstances makes it unlikely that such earmarked funds can be obligated during the original period of availability: Provided, That such earmarked funds that are continued available for an additional fiscal year shall be obligated only for the purpose of such earmark.

#### CEILINGS AND EARMARKS

SEC. 543. Ceilings and earmarks contained in this Act shall not be applicable to funds or authorities appropriated or otherwise made available by any subsequent Act unless such Act specifically so directs. Earmarks or minimum funding requirements contained in any other Act shall not be applicable to funds appropriated by this Act.

#### PROHIBITION ON PUBLICITY OR PROPAGANDA

SEC. 544. No part of any appropriation contained in this Act shall be used for publicity or propaganda purposes within the United States not authorized before the date of the enactment of this Act by the Congress: Provided, That not to exceed \$750,000 may be made available to carry out the provisions of section 316 of Public Law 96-533.

#### PURCHASE OF AMERICAN-MADE EQUIPMENT AND PRODUCTS

SEC. 545. (a) To the maximum extent possible, assistance provided under this Act should make full use of American resources, including commodities, products, and services.

(b) It is the sense of the Congress that, to the greatest extent practicable, all agriculture commodities, equipment and products purchased with funds made available in this Act should be American-made.

(c) In providing financial assistance to, or entering into any contract with, any entity using funds made available in this Act, the head of each Federal agency, to the greatest extent practicable, shall provide to such entity a notice describing the statement made in subsection (b) by the Congress.

(d) The Secretary of the Treasury shall report to Congress annually on the efforts of the heads of each Federal agency and the United States directors of international financial institutions (as referenced in section 514) in complying with this sense of the Congress.

#### PROHIBITION OF PAYMENTS TO UNITED NATIONS MEMBERS

SEC. 546. None of the funds appropriated or made available pursuant to this Act for carrying out the Foreign Assistance Act of 1961, may be used to pay in whole or in part any assessments, arrearages, or dues of any member of the United Nations or, from funds appropriated by this Act to carry out chapter 1 of part I of the Foreign Assistance Act of 1961, the costs for participation of another country's delegation at international conferences held under the auspices of multilateral or international organizations.

#### CONSULTING SERVICES

SEC. 547. The expenditure of any appropriation under this Act for any consulting service through procurement contract, pursuant to section 3109 of title 5, United States Code, shall be limited to those contracts where such expenditures are a matter of public record and available for public inspection, except where otherwise provided under existing law, or under existing Executive order pursuant to existing law.

#### PRIVATE VOLUNTARY ORGANIZATIONS—DOCUMENTATION

SEC. 548. None of the funds appropriated or made available pursuant to this Act shall be available to a private voluntary organization which fails to provide upon timely request any document, file, or record necessary to the auditing requirements of the Agency for International Development.

#### PROHIBITION ON ASSISTANCE TO FOREIGN GOVERNMENTS THAT EXPORT LETHAL MILITARY EQUIPMENT TO COUNTRIES SUPPORTING INTERNATIONAL TERRORISM

SEC. 549. (a) None of the funds appropriated or otherwise made available by this Act may be available to any foreign government which provides lethal military equipment to a country the government of which the Secretary of State has determined is a terrorist government for purposes of section 40(d) of the Arms Export Control Act. The prohibition under this section with respect to a foreign government shall terminate 12 months after that government ceases to provide such military equipment. This section applies with respect to lethal military equipment provided under a contract entered into after October 1, 1997.

(b) Assistance restricted by subsection (a) or any other similar provision of law, may be furnished if the President determines that furnishing such assistance is important to the national interests of the United States.

(c) Whenever the waiver of subsection (b) is exercised, the President shall submit to the appropriate congressional committees a report with respect to the furnishing of such assistance. Any such report shall include a detailed explanation of the assistance to be provided, including the estimated dollar amount of such assistance, and an explanation of how the assistance furthers United States national interests.

#### WITHHOLDING OF ASSISTANCE FOR PARKING FINES OWED BY FOREIGN COUNTRIES

SEC. 550. (a) IN GENERAL.—Of the funds made available for a foreign country under part I of the Foreign Assistance Act of 1961, an amount equivalent to 110 percent of the total unpaid fully adjudicated parking fines and penalties owed to the District of Columbia by such country as of the date of the enactment of this Act shall be withheld from obligation for such country until the Secretary of State certifies and reports in writing to the appropriate congressional committees that such fines and penalties are fully paid to the government of the District of Columbia.

(b) DEFINITION.—For purposes of this section, the term "appropriate congressional committees" means the Committee on Foreign Relations and the Committee on Appropriations of the Senate and the Committee on International Relations and the Committee on Appropriations of the House of Representatives.

#### LIMITATION ON ASSISTANCE FOR THE PLO FOR THE WEST BANK AND GAZA

SEC. 551. None of the funds appropriated by this Act may be obligated for assistance for the Palestine Liberation Organization for the West Bank and Gaza unless the President has exercised the authority under section 604(a) of the Middle East Peace Facilitation Act of 1995 (title VI of Public Law 104-107) or any other legislation to suspend or make inapplicable section 307 of the Foreign Assistance Act of 1961 and that suspension is still in effect: Provided, That if the President fails to make the certification under section 604(b)(2) of the Middle East Peace

Facilitation Act of 1995 or to suspend the prohibition under other legislation, funds appropriated by this Act may not be obligated for assistance for the Palestine Liberation Organization for the West Bank and Gaza.

#### WAR CRIMES TRIBUNALS DRAWDOWN

SEC. 552. If the President determines that doing so will contribute to a just resolution of charges regarding genocide or other violations of international humanitarian law, the President may direct a drawdown pursuant to section 552(c) of the Foreign Assistance Act of 1961, as amended, of up to \$30,000,000 of commodities and services for the United Nations War Crimes Tribunal established with regard to the former Yugoslavia by the United Nations Security Council or such other tribunals or commissions as the Council may establish to deal with such violations, without regard to the ceiling limitation contained in paragraph (2) thereof: Provided, That the determination required under this section shall be in lieu of any determinations otherwise required under section 552(c): Provided further, That 60 days after the date of the enactment of this Act, and every 180 days thereafter, the Secretary of State shall submit a report to the Committees on Appropriations describing the steps the United States Government is taking to collect information regarding allegations of genocide or other violations of international law in the former Yugoslavia and to furnish that information to the United Nations War Crimes Tribunal for the former Yugoslavia: Provided further, That the drawdown made under this section for any tribunal shall not be construed as an endorsement or precedent for the establishment of any standing or permanent international criminal tribunal or court: Provided further, That funds made available for tribunals other than Yugoslavia or Rwanda shall be made available subject to the regular notification procedures of the Committees on Appropriations.

#### LANDMINES

SEC. 553. Notwithstanding any other provision of law, demining equipment available to the Agency for International Development and the Department of State and used in support of the clearance of landmines and unexploded ordnance for humanitarian purposes may be disposed of on a grant basis in foreign countries, subject to such terms and conditions as the President may prescribe: Provided, That section 1365(c) of the National Defense Authorization Act for Fiscal Year 1993 (Public Law 102-484; 22 U.S.C., 2778 note) is amended by striking "During the five-year period beginning on October 23, 1992" and inserting "During the 11-year period beginning on October 23, 1992".

#### RESTRICTIONS CONCERNING THE PALESTINIAN AUTHORITY

SEC. 554. None of the funds appropriated by this Act may be obligated or expended to create in any part of Jerusalem a new office of any department or agency of the United States Government for the purpose of conducting official United States Government business with the Palestinian Authority over Gaza and Jericho or any successor Palestinian governing entity provided for in the Israel-PLO Declaration of Principles: Provided, That this restriction shall not apply to the acquisition of additional space for the existing Consulate General in Jerusalem: Provided further, That meetings between officers and employees of the United States and officials of the Palestinian Authority, or any successor Palestinian governing entity provided for in the Israel-PLO Declaration of Principles, for the purpose of conducting official United States Government business with such authority should continue to take place in locations other than Jerusalem. As has been true in the past, officers and employees of the United States Government may continue to meet in Jerusalem on other subjects with Palestinians (including those who now occupy positions in the Palestinian Authority), have social contacts, and have incidental discussions.

#### PROHIBITION OF PAYMENT OF CERTAIN EXPENSES

SEC. 555. None of the funds appropriated or otherwise made available by this Act under the headings "International Military Education and Training" or "Foreign Military Financing Program" for Informational Program activities or under the headings "Child Survival and Disease Programs Fund", "Development Assistance", and "Economic Support Fund" may be obligated or expended to pay for—

- (1) alcoholic beverages; or
- (2) entertainment expenses for activities that are substantially of a recreational character, including entrance fees at sporting events and amusement parks.

#### COMPETITIVE PRICING FOR SALES OF DEFENSE ARTICLES

SEC. 556. Direct costs associated with meeting a foreign customer's additional or unique requirements will continue to be allowable under contracts under section 22(d) of the Arms Export Control Act. Loadings applicable to such direct costs shall be permitted at the same rates applicable to procurement of like items purchased by the Department of Defense for its own use.

#### SPECIAL DEBT RELIEF FOR THE POOREST

SEC. 557. (a) AUTHORITY TO REDUCE DEBT.—The President may reduce amounts owed to the United States (or any agency of the United States) by an eligible country as a result of—

- (1) guarantees issued under sections 221 and 222 of the Foreign Assistance Act of 1961;
- (2) credits extended or guarantees issued under the Arms Export Control Act; or
- (3) any obligation or portion of such obligation, to pay for purchases of United States agricultural commodities guaranteed by the Commodity Credit Corporation under export credit guarantee programs authorized pursuant to section 5(f) of the Commodity Credit Corporation Charter Act of June 29, 1948, as amended, section 4(b) of the Food for Peace Act of 1966, as amended (Public Law 89-808), or section 202 of the Agricultural Trade Act of 1978, as amended (Public Law 95-501).

#### (b) LIMITATIONS.—

(1) The authority provided by subsection (a) may be exercised only to implement multilateral official debt relief and referendum agreements, commonly referred to as "Paris Club Agreed Minutes".

(2) The authority provided by subsection (a) may be exercised only in such amounts or to such extent as is provided in advance by appropriations Acts.

(3) The authority provided by subsection (a) may be exercised only with respect to countries with heavy debt burdens that are eligible to borrow from the International Development Association, but not from the International Bank for Reconstruction and Development, commonly referred to as "IDA-only" countries.

(c) CONDITIONS.—The authority provided by subsection (a) may be exercised only with respect to a country whose government—

- (1) does not have an excessive level of military expenditures;
- (2) has not repeatedly provided support for acts of international terrorism;
- (3) is not failing to cooperate on international narcotics control matters;
- (4) (including its military or other security forces) does not engage in a consistent pattern of gross violations of internationally recognized human rights; and
- (5) is not ineligible for assistance because of the application of section 527 of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995.

(d) AVAILABILITY OF FUNDS.—The authority provided by subsection (a) may be used only with regard to funds appropriated by this Act under the heading "Debt Restructuring".

(e) CERTAIN PROHIBITIONS INAPPLICABLE.—A reduction of debt pursuant to subsection (a) shall not be considered assistance for purposes of any provision of law limiting assistance to a

country. The authority provided by subsection (a) may be exercised notwithstanding section 620(r) of the Foreign Assistance Act of 1961 or section 321 of the International Development and Food Assistance Act of 1975.

#### AUTHORITY TO ENGAGE IN DEBT BUYBACKS OR SALES

SEC. 558. (a) LOANS ELIGIBLE FOR SALE, REDUCTION, OR CANCELLATION.—

(1) AUTHORITY TO SELL, REDUCE, OR CANCEL CERTAIN LOANS.—Notwithstanding any other provision of law, the President may, in accordance with this section, sell to any eligible purchaser any concessional loan or portion thereof made before January 1, 1995, pursuant to the Foreign Assistance Act of 1961, to the government of any eligible country as defined in section 702(6) of that Act or on receipt of payment from an eligible purchaser, reduce or cancel such loan or portion thereof, only for the purpose of facilitating—

(A) debt-for-equity swaps, debt-for-development swaps, or debt-for-nature swaps; or

(B) a debt buyback by an eligible country of its own qualified debt, only if the eligible country uses an additional amount of the local currency of the eligible country, equal to not less than 40 percent of the price paid for such debt by such eligible country, or the difference between the price paid for such debt and the face value of such debt, to support activities that link conservation and sustainable use of natural resources with local community development, and child survival and other child development, in a manner consistent with sections 707 through 710 of the Foreign Assistance Act of 1961, if the sale, reduction, or cancellation would not contravene any term or condition of any prior agreement relating to such loan.

(2) TERMS AND CONDITIONS.—Notwithstanding any other provision of law, the President shall, in accordance with this section, establish the terms and conditions under which loans may be sold, reduced, or canceled pursuant to this section.

(3) ADMINISTRATION.—The Facility, as defined in section 702(8) of the Foreign Assistance Act of 1961, shall notify the administrator of the agency primarily responsible for administering part I of the Foreign Assistance Act of 1961 of purchasers that the President has determined to be eligible, and shall direct such agency to carry out the sale, reduction, or cancellation of a loan pursuant to this section. Such agency shall make an adjustment in its accounts to reflect the sale, reduction, or cancellation.

(4) LIMITATION.—The authorities of this subsection shall be available only to the extent that appropriations for the cost of the modification, as defined in section 502 of the Congressional Budget Act of 1974, are made in advance.

(b) DEPOSIT OF PROCEEDS.—The proceeds from the sale, reduction, or cancellation of any loan sold, reduced, or canceled pursuant to this section shall be deposited in the United States Government account or accounts established for the repayment of such loan.

(c) ELIGIBLE PURCHASERS.—A loan may be sold pursuant to subsection (a)(1)(A) only to a purchaser who presents plans satisfactory to the President for using the loan for the purpose of engaging in debt-for-equity swaps, debt-for-development swaps, or debt-for-nature swaps.

(d) DEBTOR CONSULTATIONS.—Before the sale to any eligible purchaser, or any reduction or cancellation pursuant to this section, of any loan made to an eligible country, the President should consult with the country concerning the amount of loans to be sold, reduced, or canceled and their uses for debt-for-equity swaps, debt-for-development swaps, or debt-for-nature swaps.

(e) AVAILABILITY OF FUNDS.—The authority provided by subsection (a) may be used only with regard to funds appropriated by this Act under the heading "Debt Restructuring".

## ASSISTANCE FOR HAITI

SEC. 559. (a) **POLICY.**—In providing assistance to Haiti, the President should place a priority on the following areas:

(1) aggressive action to support the Haitian National Police, including support for efforts by the Inspector General to purge corrupt and politicized elements from the Haitian National Police;

(2) steps to ensure that any elections undertaken in Haiti with United States assistance are full, free, fair, transparent, and democratic;

(3) support for a program designed to develop an indigenous human rights monitoring capacity;

(4) steps to facilitate the continued privatization of state-owned enterprises;

(5) a sustainable agricultural development program; and

(6) establishment of an economic development fund for Haiti to provide long-term, low interest loans to United States investors and businesses that have a demonstrated commitment to, and expertise in, doing business in Haiti, in particular those businesses present in Haiti prior to the 1994 United Nations embargo.

(b) **REPORT.**—Beginning 6 months after the date of the enactment of this Act, and 6 months thereafter until September 30, 2001, the President shall submit a report to the Committee on Appropriations and the Committee on Foreign Relations of the Senate and the Committee on Appropriations and the Committee on International Relations of the House of Representatives with regard to—

(1) the status of each of the governmental institutions envisioned in the 1987 Haitian Constitution, including an assessment of the extent to which officials in such institutions hold their positions on the basis of a regular, constitutional process;

(2) the status of the privatization (or placement under long-term private management or concession) of the major public entities, including a detailed assessment of the extent to which the Government of Haiti has completed all required incorporating documents, the transfer of assets, and the eviction of unauthorized occupants from such facilities;

(3) the status of efforts to re-sign and implement the lapsed bilateral Repatriation Agreement and an assessment of the extent to which the Government of Haiti has been cooperating with the United States in halting illegal emigration from Haiti;

(4) the status of the Government of Haiti's efforts to conduct thorough investigations of extrajudicial and political killings and—

(A) an assessment of the progress that has been made in bringing to justice the persons responsible for these extrajudicial or political killings in Haiti; and

(B) an assessment of the extent to which the Government of Haiti is cooperating with United States authorities and with United States-funded technical advisors to the Haitian National Police in such investigations;

(5) an assessment of actions taken by the Government of Haiti to remove and maintain the separation from the Haitian National Police, national palace and residential guard, ministerial guard, and any other public security entity or unit of Haiti those individuals who are credibly alleged to have engaged in or conspired to conceal gross violations of internationally recognized human rights;

(6) the status of steps being taken to secure the ratification of the maritime counter-narcotics agreements signed October 1997;

(7) an assessment of the extent to which domestic capacity to conduct free, fair, democratic, and administratively sound elections has been developed in Haiti; and

(8) an assessment of the extent to which Haiti's Minister of Justice has demonstrated a commitment to the professionalism of judicial personnel by consistently placing students graduated by the Judicial School in appropriate ju-

dicial positions and has made a commitment to share program costs associated with the Judicial School, and is achieving progress in making the judicial branch in Haiti independent from the executive branch.

(c) **EQUITABLE ALLOCATION OF FUNDS.**—Not more than 17 percent of the funds appropriated by this Act to carry out the provisions of sections 103 through 106 and chapter 4 of part II of the Foreign Assistance Act of 1961, that are made available for Latin America and the Caribbean region may be made available, through bilateral and Latin America and the Caribbean regional programs, to provide assistance for any country in such region.

#### REQUIREMENT FOR DISCLOSURE OF FOREIGN AID IN REPORT OF SECRETARY OF STATE

SEC. 560. (a) **FOREIGN AID REPORTING REQUIREMENT.**—In addition to the voting practices of a foreign country, the report required to be submitted to Congress under section 406(a) of the Foreign Relations Authorization Act, fiscal years 1990 and 1991 (22 U.S.C. 2414a), shall include a side-by-side comparison of individual countries' overall support for the United States at the United Nations and the amount of United States assistance provided to such country in fiscal year 1999.

(b) **UNITED STATES ASSISTANCE.**—For purposes of this section, the term "United States assistance" has the meaning given the term in section 481(e)(4) of the Foreign Assistance Act of 1961 (22 U.S.C. 2291(e)(4)).

#### RESTRICTIONS ON VOLUNTARY CONTRIBUTIONS TO UNITED NATIONS AGENCIES

SEC. 561. (a) **PROHIBITION ON VOLUNTARY CONTRIBUTIONS FOR THE UNITED NATIONS.**—None of the funds appropriated by this Act may be made available to pay any voluntary contribution of the United States to the United Nations (including the United Nations Development Program) if the United Nations implements or imposes any taxation on any United States persons.

(b) **CERTIFICATION REQUIRED FOR DISBURSEMENT OF FUNDS.**—None of the funds appropriated by this Act may be made available to pay any voluntary contribution of the United States to the United Nations (including the United Nations Development Program) unless the President certifies to the Congress 15 days in advance of such payment that the United Nations is not engaged in any effort to implement or impose any taxation on United States persons in order to raise revenue for the United Nations or any of its specialized agencies.

(c) **DEFINITIONS.**—As used in this section the term "United States person" refers to—

(1) a natural person who is a citizen or national of the United States; or

(2) a corporation, partnership, or other legal entity organized under the United States or any State, territory, possession, or district of the United States.

#### HAITI

SEC. 562. The Government of Haiti shall be eligible to purchase defense articles and services under the Arms Export Control Act (22 U.S.C. 2751 et seq.), for the civilian-led Haitian National Police and Coast Guard: Provided, That the authority provided by this section shall be subject to the regular notification procedures of the Committees on Appropriations.

#### LIMITATION ON ASSISTANCE TO THE PALESTINIAN AUTHORITY

SEC. 563. (a) **PROHIBITION OF FUNDS.**—None of the funds appropriated by this Act to carry out the provisions of chapter 4 of part II of the Foreign Assistance Act of 1961 may be obligated or expended with respect to providing funds to the Palestinian Authority.

(b) **WAIVER.**—The prohibition included in subsection (a) shall not apply if the President certifies in writing to the Speaker of the House of Representatives and the President pro tempore of the Senate that waiving such prohibition is important to the national security interests of the United States.

(c) **PERIOD OF APPLICATION OF WAIVER.**—Any waiver pursuant to subsection (b) shall be effective for no more than a period of 6 months at a time and shall not apply beyond 12 months after the enactment of this Act.

#### LIMITATION ON ASSISTANCE TO SECURITY FORCES

SEC. 564. None of the funds made available by this Act may be provided to any unit of the security forces of a foreign country if the Secretary of State has credible evidence that such unit has committed gross violations of human rights, unless the Secretary determines and reports to the Committees on Appropriations that the government of such country is taking effective measures to bring the responsible members of the security forces unit to justice: Provided, That nothing in this section shall be construed to withhold funds made available by this Act from any unit of the security forces of a foreign country not credibly alleged to be involved in gross violations of human rights: Provided further, That in the event that funds are withheld from any unit pursuant to this section, the Secretary of State shall promptly inform the foreign government of the basis for such action and shall, to the maximum extent practicable, assist the foreign government in taking effective measures to bring the responsible members of the security forces to justice.

#### LIMITATIONS ON TRANSFER OF MILITARY EQUIPMENT TO EAST TIMOR

SEC. 565. In any agreement for the sale, transfer, or licensing of any lethal equipment or helicopter for Indonesia entered into by the United States pursuant to the authority of this Act or any other Act, the agreement shall state that the items will not be used in East Timor.

#### RESTRICTIONS ON ASSISTANCE TO COUNTRIES PROVIDING SANCTUARY TO INDICTED WAR CRIMINALS

SEC. 566. (a) **BILATERAL ASSISTANCE.**—None of the funds made available by this or any prior Act making appropriations for foreign operations, export financing and related programs, may be provided for any country, entity or municipality described in subsection (e).

(b) **MULTILATERAL ASSISTANCE.**—

(1) **PROHIBITION.**—The Secretary of the Treasury shall instruct the United States executive directors of the international financial institutions to work in opposition to, and vote against, any extension by such institutions of any financial or technical assistance or grants of any kind to any country or entity described in subsection (e).

(2) **NOTIFICATION.**—Not less than 15 days before any vote in an international financial institution regarding the extension of financial or technical assistance or grants to any country or entity described in subsection (e), the Secretary of the Treasury, in consultation with the Secretary of State, shall provide to the Committee on Appropriations and the Committee on Foreign Relations of the Senate and the Committee on Appropriations and the Committee on Banking and Financial Services of the House of Representatives a written justification for the proposed assistance, including an explanation of the United States position regarding any such vote, as well as a description of the location of the proposed assistance by municipality, its purpose, and its intended beneficiaries.

(3) **DEFINITION.**—The term "international financial institution" includes the International Monetary Fund, the International Bank for Reconstruction and Development, the International Development Association, the International Finance Corporation, the Multilateral Investment Guaranty Agency, and the European Bank for Reconstruction and Development.

(c) **EXCEPTIONS.**—

(1) **IN GENERAL.**—Subject to paragraph (2), subsections (a) and (b) shall not apply to the provision of—

(A) humanitarian assistance;

(B) democratization assistance;

(C) assistance for cross border physical infrastructure projects involving activities in both a sanctioned country, entity, or municipality and a nonsanctioned contiguous country, entity, or municipality, if the project is primarily located in and primarily benefits the nonsanctioned country, entity, or municipality and if the portion of the project located in the sanctioned country, entity, or municipality is necessary only to complete the project;

(D) small-scale assistance projects or activities requested by United States Armed Forces that promote good relations between such forces and the officials and citizens of the areas in the United States SFOR sector of Bosnia;

(E) implementation of the Brcko Arbitral Decision;

(F) lending by the international financial institutions to a country or entity to support common monetary and fiscal policies at the national level as contemplated by the Dayton Agreement;

(G) direct lending to a non-sanctioned entity, or lending passed on by the national government to a non-sanctioned entity; or

(H) assistance to the International Police Task Force for the training of a civilian police force.

(2) NOTIFICATION.—Every 60 days the Secretary of State, in consultation with the Administrator of the Agency for International Development, shall publish in the Federal Register and/or in a comparable publicly accessible document or Internet site, a listing and justification of any assistance that is obligated within that period of time for any country, entity, or municipality described in subsection (e), including a description of the purpose of the assistance, project and its location, by municipality.

(d) FURTHER LIMITATIONS.—Notwithstanding subsection (c)—

(1) no assistance may be made available by this Act, or any prior Act making appropriations for foreign operations, export financing and related programs, in any country, entity, or municipality described in subsection (e), for a program, project, or activity in which a publicly indicted war criminal is known to have any financial or material interest; and

(2) no assistance (other than emergency foods or medical assistance or demining assistance) may be made available by this Act, or any prior Act making appropriations for foreign operations, export financing and related programs for any program, project, or activity in a community within any country, entity or municipality described in subsection (e) if competent authorities within that community are not complying with the provisions of Article IX and Annex 4, Article II, paragraph 8 of the Dayton Agreement relating to war crimes and the Tribunal.

(e) SANCTIONED COUNTRY, ENTITY, OR MUNICIPALITY.—A sanctioned country, entity, or municipality described in this section is one whose competent authorities have failed, as determined by the Secretary of State, to take necessary and significant steps to apprehend and transfer to the Tribunal all persons who have been publicly indicted by the Tribunal.

(f) SPECIAL RULE.—Subject to subsection (d), subsections (a) and (b) shall not apply to the provision of assistance to an entity that is not a sanctioned entity, notwithstanding that such entity may be within a sanctioned country, if the Secretary of State determines and so reports to the appropriate congressional committees that providing assistance to that entity would promote peace and internationally recognized human rights by encouraging that entity to cooperate fully with the Tribunal.

(g) CURRENT RECORD OF WAR CRIMINALS AND SANCTIONED COUNTRIES, ENTITIES, AND MUNICIPALITIES.—

(1) IN GENERAL.—The Secretary of State shall establish and maintain a current record of the location, including the municipality, if known, of publicly indicted war criminals and a current record of sanctioned countries, entities, and municipalities.

(2) INFORMATION OF THE DCI AND THE SECRETARY OF DEFENSE.—The Director of Central Intelligence and the Secretary of Defense should collect and provide to the Secretary of State information concerning the location, including the municipality, of publicly indicted war criminals.

(3) INFORMATION OF THE TRIBUNAL.—The Secretary of State shall request that the Tribunal and other international organizations and governments provide the Secretary of State information concerning the location, including the municipality, of publicly indicted war criminals and concerning country, entity and municipality authorities known to have obstructed the work of the Tribunal.

(4) REPORT.—Beginning 30 days after the date of the enactment of this Act, and not later than September 1 each year thereafter, the Secretary of State shall submit a report in classified and unclassified form to the appropriate congressional committees on the location, including the municipality, if known, of publicly indicted war criminals, on country, entity and municipality authorities known to have obstructed the work of the Tribunal, and on sanctioned countries, entities, and municipalities.

(5) INFORMATION TO CONGRESS.—Upon the request of the chairman or ranking minority member of any of the appropriate congressional committees, the Secretary of State shall make available to that committee the information recorded under paragraph (1) in a report submitted to the committee in classified and unclassified form.

(h) WAIVER.—

(1) IN GENERAL.—The Secretary of State may waive the application of subsection (a) or subsection (b) with respect to specified bilateral programs or international financial institution projects or programs in a sanctioned country, entity, or municipality upon providing a written determination to the Committee on Appropriations and the Committee on Foreign Relations of the Senate and the Committee on Appropriations and the Committee on International Relations of the House of Representatives that such assistance directly supports the implementation of the Dayton Agreement and its Annexes, which include the obligation to apprehend and transfer indicted war criminals to the Tribunal.

(2) REPORT.—Not later than 15 days after the date of any written determination under paragraph (1) the Secretary of State shall submit a report to the Committee on Appropriations and the Committee on Foreign Relations of the Senate and the Committee on Appropriations and the Committee on International Relations of the House of Representatives regarding the status of efforts to secure the voluntary surrender or apprehension and transfer of persons indicted by the Tribunal, in accordance with the Dayton Agreement, and outlining obstacles to achieving this goal.

(3) ASSISTANCE PROGRAMS AND PROJECTS AFFECTED.—Any waiver made pursuant to this subsection shall be effective only with respect to a specified bilateral program or multilateral assistance project or program identified in the determination of the Secretary of State to Congress.

(i) TERMINATION OF SANCTIONS.—The sanctions imposed pursuant to subsections (a) and (b) with respect to a country or entity shall cease to apply only if the Secretary of State determines and certifies to Congress that the authorities of that country, entity, or municipality have apprehended and transferred to the Tribunal all persons who have been publicly indicted by the Tribunal.

(j) DEFINITIONS.—As used in this section—

(1) COUNTRY.—The term “country” means Bosnia-Herzegovina, Croatia, and Serbia.

(2) ENTITY.—The term “entity” refers to the Federation of Bosnia and Herzegovina, Kosova, Montenegro, and the Republika Srpska.

(3) DAYTON AGREEMENT.—The term “Dayton Agreement” means the General Framework Agreement for Peace in Bosnia and Herzegovina, together with annexes relating

thereto, done at Dayton, November 10 through 16, 1995.

(4) TRIBUNAL.—The term “Tribunal” means the International Criminal Tribunal for the Former Yugoslavia.

(k) ROLE OF HUMAN RIGHTS ORGANIZATIONS AND GOVERNMENT AGENCIES.—In carrying out this section, the Secretary of State, the Administrator of the Agency for International Development, and the executive directors of the international financial institutions shall consult with representatives of human rights organizations and all government agencies with relevant information to help prevent publicly indicted war criminals from benefiting from any financial or technical assistance or grants provided to any country or entity described in subsection (e).

TO PROHIBIT FOREIGN ASSISTANCE TO THE GOVERNMENT OF THE RUSSIAN FEDERATION SHOULD IT ENACT LAWS WHICH WOULD DISCRIMINATE AGAINST MINORITY RELIGIOUS FAITHS IN THE RUSSIAN FEDERATION

SEC. 567. None of the funds appropriated under this Act may be made available for the Government of the Russian Federation, after 180 days from the date of the enactment of this Act, unless the President determines and certifies in writing to the Committees on Appropriations and the Committee on Foreign Relations of the Senate that the Government of the Russian Federation has implemented no statute, executive order, regulation or similar government action that would discriminate, or would have as its principal effect discrimination, against religious groups or religious communities in the Russian Federation in violation of accepted international agreements on human rights and religious freedoms to which the Russian Federation is a party.

#### GREENHOUSE GAS EMISSIONS

SEC. 568. (a) Funds made available in this Act to support programs or activities the primary purpose of which is promoting or assisting country participation in the Kyoto Protocol to the Framework Convention on Climate Change (FCCC) shall only be made available subject to the regular notification procedures of the Committees on Appropriations.

(b) The President shall provide a detailed account of all Federal agency obligations and expenditures for climate change programs and activities, domestic and international obligations for such activities in fiscal year 2000, and any plan for programs thereafter related to the implementation or the furtherance of protocols pursuant to, or related to negotiations to amend the FCCC in conjunction with the President's submission of the Budget of the United States Government for Fiscal Year 2001: Provided, That such report shall include an accounting of expenditures by agency with each agency identifying climate change activities and associated costs by line item as presented in the President's Budget Appendix: Provided further, That such report shall identify with regard to the Agency for International Development, obligations and expenditures by country or central program and activity.

#### EXCESS DEFENSE ARTICLES FOR CERTAIN EUROPEAN COUNTRIES

SEC. 569. Section 105 of Public Law 104-164 (110 Stat. 1427) is amended by striking “1996 and 1997” and inserting “1999 and 2000”.

#### AID TO THE GOVERNMENT OF THE DEMOCRATIC REPUBLIC OF CONGO

SEC. 570. None of the funds appropriated or otherwise made available by this Act may be provided to the Central Government of the Democratic Republic of Congo.

#### ASSISTANCE FOR THE MIDDLE EAST

SEC. 571. Of the funds appropriated in titles II and III of this Act under the headings “Economic Support Fund”, “Foreign Military Financing Program”, “International Military Education and Training”, “Peacekeeping Operations”, for refugees resettling in Israel under

the heading "Migration and Refugee Assistance", and for assistance for Israel to carry out provisions of chapter 8 of part II of the Foreign Assistance Act of 1961 under the heading "Nonproliferation, Anti-Terrorism, Demining and Related Programs", not more than a total of \$5,321,150,000 may be made available for Israel, Egypt, Jordan, Lebanon, the West Bank and Gaza, the Israel-Lebanon Monitoring Group, the Multinational Force and Observers, the Middle East Regional Democracy Fund, Middle East Regional Cooperation, and Middle East Multilateral Working Groups: Provided, That any funds that were appropriated under such headings in prior fiscal years and that were at the time of the enactment of this Act obligated or allocated for other recipients may not during fiscal year 2000 be made available for activities that, if funded under this Act, would be required to count against this ceiling: Provided further, That funds may be made available notwithstanding the requirements of this section if the President determines and certifies to the Committees on Appropriations that it is important to the national security interest of the United States to do so and any such additional funds shall only be provided through the regular notification procedures of the Committees on Appropriations.

#### ENTERPRISE FUND RESTRICTIONS

SEC. 572. Prior to the distribution of any assets resulting from any liquidation, dissolution, or winding up of an Enterprise Fund, in whole or in part, the President shall submit to the Committees on Appropriations, in accordance with the regular notification procedures of the Committees on Appropriations, a plan for the distribution of the assets of the Enterprise Fund.

#### CAMBODIA

SEC. 573. (a) The Secretary of the Treasury should instruct the United States executive directors of the international financial institutions to use the voice and vote of the United States to oppose loans to the Central Government of Cambodia, except loans to support basic human needs.

(b) None of the funds appropriated by this Act may be made available for assistance for the Central Government of Cambodia.

#### CUSTOMS ASSISTANCE

SEC. 574. Section 660(b) of the Foreign Assistance Act of 1961 is amended by—

- (1) striking the period at the end of paragraph (6) and inserting a semicolon; and
- (2) adding the following new paragraph:
 

"(7) with respect to assistance provided to customs authorities and personnel, including training, technical assistance and equipment, for customs law enforcement and the improvement of customs laws, systems and procedures."

#### FOREIGN MILITARY TRAINING REPORT

SEC. 575. (a) The Secretary of Defense and the Secretary of State shall jointly provide to the Congress by March 1, 2000, a report on all military training provided to foreign military personnel (excluding sales, and excluding training provided to the military personnel of countries belonging to the North Atlantic Treaty Organization) under programs administered by the Department of Defense and the Department of State during fiscal years 1999 and 2000, including those proposed for fiscal year 2000. This report shall include, for each such military training activity, the foreign policy justification and purpose for the training activity, the cost of the training activity, the number of foreign students trained and their units of operation, and the location of the training. In addition, this report shall also include, with respect to United States personnel, the operational benefits to United States forces derived from each such training activity and the United States military units involved in each such training activity. This report may include a classified annex if deemed necessary and appropriate.

(b) For purposes of this section a report to Congress shall be deemed to mean a report to

the Appropriations and Foreign Relations Committees of the Senate and the Appropriations and International Relations Committees of the House of Representatives.

#### KOREAN PENINSULA ENERGY DEVELOPMENT ORGANIZATION

SEC. 576. (a) Of the funds made available under the heading "Nonproliferation, Anti-terrorism, Demining and Related Programs", not to exceed \$35,000,000 may be made available for the Korean Peninsula Energy Development Organization (hereafter referred to in this section as "KEDO"), notwithstanding any other provision of law, only for the administrative expenses and heavy fuel oil costs associated with the Agreed Framework.

(b) Of the funds made available for KEDO, up to \$15,000,000 may be made available prior to June 1, 2000, if, 30 days prior to such obligation of funds, the President certifies and so reports to Congress that—

(1) the parties to the Agreed Framework have taken and continue to take demonstrable steps to implement the Joint Declaration on Denuclearization of the Korean Peninsula in which the Government of North Korea has committed not to test, manufacture, produce, receive, possess, store, deploy, or use nuclear weapons, and not to possess nuclear reprocessing or uranium enrichment facilities;

(2) the parties to the Agreed Framework have taken and continue to take demonstrable steps to pursue the North-South dialogue;

(3) North Korea is complying with all provisions of the Agreed Framework;

(4) North Korea has not diverted assistance provided by the United States for purposes for which it was not intended; and

(5) North Korea is not seeking to develop or acquire the capability to enrich uranium, or any additional capability to reprocess spent nuclear fuel.

(c) Of the funds made available for KEDO, up to \$20,000,000 may be made available on or after June 1, 2000, if, 30 days prior to such obligation of funds, the President certifies and so reports to Congress that—

(1) the effort to can and safely store all spent fuel from North Korea's graphite-moderated nuclear reactors has been successfully concluded;

(2) North Korea is complying with its obligations under the agreement regarding access to suspect underground construction;

(3) North Korea has terminated its nuclear weapons program, including all efforts to acquire, develop, test, produce, or deploy such weapons; and

(4) the United States has made and is continuing to make significant progress on eliminating the North Korean ballistic missile threat, including further missile tests and its ballistic missile exports.

(d) The President may waive the certification requirements of subsections (b) and (c) if the President determines that it is vital to the national security interests of the United States and provides written policy justifications to the appropriate congressional committees prior to his exercise of such waiver. No funds may be obligated for KEDO until 30 days after submission to Congress of such waiver.

(e) The Secretary of State shall submit to the appropriate congressional committees a report (to be submitted with the annual presentation for appropriations) providing a full and detailed accounting of the fiscal year 2001 request for the United States contribution to KEDO, the expected operating budget of the KEDO, to include unpaid debt, proposed annual costs associated with heavy fuel oil purchases, and the amount of funds pledged by other donor nations and organizations to support KEDO activities on a per country basis, and other related activities.

#### AFRICAN DEVELOPMENT FOUNDATION

SEC. 577. Funds made available to grantees of the African Development Foundation may be in-

vested pending expenditure for project purposes when authorized by the President of the Foundation: Provided, That interest earned shall be used only for the purposes for which the grant was made: Provided further, That this authority applies to interest earned both prior to and following the enactment of this provision: Provided further, That notwithstanding section 505(a)(2) of the African Development Foundation Act, in exceptional circumstances the board of directors of the Foundation may waive the \$250,000 limitation contained in that section with respect to a project: Provided further, That the Foundation shall provide a report to the Committees on Appropriations in advance of exercising such waiver authority.

#### PROHIBITION ON ASSISTANCE TO THE PALESTINIAN BROADCASTING CORPORATION

SEC. 578. None of the funds appropriated or otherwise made available by this Act may be used to provide equipment, technical support, consulting services, or any other form of assistance to the Palestinian Broadcasting Corporation.

#### VOLUNTARY SEPARATION INCENTIVES FOR EMPLOYEES OF THE UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT

SEC. 579. (a) DEFINITIONS.—For the purposes of this section—

(1) the term "agency" means the United States Agency for International Development;

(2) the term "Administrator" means the Administrator, United States Agency for International Development; and

(3) the term "employee" means an employee (as defined by section 2105 of title 5, United States Code) who is employed by the agency, is serving under an appointment without time limitation, and has been currently employed for a continuous period of at least 3 years, but does not include—

(A) a reemployed annuitant under subchapter III of chapter 83 or chapter 84 of title 5, United States Code, or another retirement system for employees of the agency;

(B) an employee having a disability on the basis of which such employee is or would be eligible for disability retirement under the applicable retirement system referred to in subparagraph (A);

(C) an employee who is to be separated involuntarily for misconduct or unacceptable performance, and to whom specific notice has been given with respect to that separation;

(D) an employee who has previously received any voluntary separation incentive payment by the Government of the United States under this section or any other authority and has not repaid such payment;

(E) an employee covered by statutory reemployment rights who is on transfer to another organization; or

(F) any employee who, during the 24-month period preceding the date of separation, received a recruitment or relocation bonus under section 5753 of title 5, United States Code, or who, within the 12-month period preceding the date of separation, received a retention allowance under section 5754 of such title 5, United States Code.

#### (b) AGENCY STRATEGIC PLAN.—

(1) IN GENERAL.—The Administrator, before obligating any resources for voluntary separation incentive payments under this section, shall submit to the Committees on Appropriations and the Office of Management and Budget a strategic plan outlining the intended use of such incentive payments and a proposed organizational chart for the agency once such incentive payments have been completed.

(2) CONTENTS.—The agency's plan shall include—

(A) the positions and functions to be reduced or eliminated, identified by organizational unit, geographic location, occupational category and grade level;

(B) the number and amounts of voluntary separation incentive payments to be offered;



(C) a description of how the agency will operate without the eliminated positions and functions; and

(D) the time period during which incentives may be paid.

(3) **APPROVAL.**—The Director of the Office of Management and Budget shall review the agency's plan and approve or disapprove the plan and may make appropriate modifications in the plan with respect to the coverage of incentives as described under paragraph (2)(A), and with respect to the matters described in paragraphs (2)(B) through (D).

(c) **AUTHORITY TO PROVIDE VOLUNTARY SEPARATION INCENTIVE PAYMENTS.**—

(1) **IN GENERAL.**—A voluntary separation incentive payment under this section may be paid by the agency to employees of such agency and only to the extent necessary to eliminate the positions and functions identified by the strategic plan.

(2) **AMOUNT AND TREATMENT OF PAYMENTS.**—A voluntary separation incentive payment under this section—

(A) shall be paid in a lump sum after the employee's separation;

(B) shall be paid from appropriations or funds available for the payment of the basic pay of the employees;

(C) shall be equal to the lesser of—

(i) an amount equal to the amount the employee would be entitled to receive under section 5595(c) of title 5, United States Code, if the employee were entitled to payment under such section; or

(ii) an amount determined by the agency head not to exceed \$25,000;

(D) may not be made except in the case of any employee who voluntarily separates (whether by retirement or resignation) on or before December 31, 2000;

(E) shall not be a basis for payment, and shall not be included in the computation, of any other type of Government benefit; and

(F) shall not be taken into account in determining the amount of any severance pay to which the employee may be entitled under section 5595 of title 5, United States Code, based on any other separation.

(d) **ADDITIONAL AGENCY CONTRIBUTIONS TO THE RETIREMENT FUND.**—

(1) **IN GENERAL.**—In addition to any other payments which it is required to make under subchapter III of chapter 83 or chapter 84 of title 5, United States Code, the agency shall remit to the Office of Personnel Management for deposit in the Treasury of the United States to the credit of the Civil Service Retirement and Disability Fund an amount equal to 15 percent of the final basic pay of each employee of the agency who is covered under subchapter III of chapter 83 or chapter 84 of title 5, United States Code, to whom a voluntary separation incentive has been paid under this section.

(2) **DEFINITION.**—For the purpose of paragraph (1), the term "final basic pay", with respect to an employee, means the total amount of basic pay which would be payable for a year of service by such employee, computed using the employee's final rate of basic pay, and, if last serving on other than a full-time basis, with appropriate adjustment therefor.

(e) **EFFECT OF SUBSEQUENT EMPLOYMENT WITH THE GOVERNMENT.**—

(1) An individual who has received a voluntary separation incentive payment under this section and accepts any employment for compensation with the Government of the United States, or who works for any agency of the Government of the United States through a personal services contract, within 5 years after the date of the separation on which the payment is based shall be required to pay, prior to the individual's first day of employment, the entire amount of the incentive payment to the agency that paid the incentive payment.

(2) If the employment under paragraph (1) is with an Executive agency (as defined by section

105 of title 5, United States Code), the United States Postal Service, or the Postal Rate Commission, the Director of the Office of Personnel Management may, at the request of the head of the agency, waive the repayment if the individual involved possesses unique abilities and is the only qualified applicant available for the position.

(3) If the employment under paragraph (1) is with an entity in the legislative branch, the head of the entity or the appointing official may waive the repayment if the individual involved possesses unique abilities and is the only qualified applicant available for the position.

(4) If the employment under paragraph (1) is with the judicial branch, the Director of the Administrative Office of the United States Courts may waive the repayment if the individual involved possesses unique abilities and is the only qualified applicant for the position.

(f) **REDUCTION OF AGENCY EMPLOYMENT LEVELS.**—

(1) **IN GENERAL.**—The total number of funded employee positions in the agency shall be reduced by one position for each vacancy created by the separation of any employee who has received, or is due to receive, a voluntary separation incentive payment under this section. For the purposes of this subsection, positions shall be counted on a full-time-equivalent basis.

(2) **ENFORCEMENT.**—The President, through the Office of Management and Budget, shall monitor the agency and take any action necessary to ensure that the requirements of this subsection are met.

(g) **REGULATIONS.**—The Office of Personnel Management may prescribe such regulations as may be necessary to implement this section.

#### IRAQ OPPOSITION

SEC. 580. Notwithstanding any other provision of law, of the funds appropriated under the heading "Economic Support Fund", \$10,000,000 shall be made available to support efforts to bring about political transition in Iraq, of which not less than \$8,000,000 shall be made available only to Iraqi opposition groups designated under the Iraq Liberation Act (Public Law 105-338) for political, economic, humanitarian, and other activities of such groups, and not more than \$2,000,000 may be made available for groups and activities seeking the prosecution of Saddam Hussein and other Iraqi government officials for war crimes.

#### AGENCY FOR INTERNATIONAL DEVELOPMENT BUDGET SUBMISSION

SEC. 581. Beginning with the fiscal year 2001 budget, the Agency for International Development shall submit to the Committees on Appropriations a detailed budget for each fiscal year. The Agency shall submit to the Committees on Appropriations a proposed budget format no later than October 31, 1999, or 30 days after the enactment of this Act, whichever occurs later. The proposed format shall include how the Agency's budget submission will address: (1) estimated levels of obligations for the current fiscal year and actual levels for the two previous fiscal years; (2) the President's request for new budget authority and estimated carryover obligational authority for the budget year; (3) the disaggregation of budget data by program and activity for each bureau, field mission, and central office; and (4) staff levels identified by program.

#### AMERICAN CHURCHWOMEN IN EL SALVADOR

SEC. 582. (a) Information relevant to the December 2, 1980 murders of four American churchwomen in El Salvador shall be made public to the fullest extent possible.

(b) The Secretary of State and the Department of State are to be commended for fully releasing information regarding the murders.

(c) The President shall order all Federal agencies and departments that possess relevant information to make every effort to declassify and release to the victims' families relevant information as expeditiously as possible.

(d) In making determinations concerning the declassification and release of relevant information, the Federal agencies and departments shall presume in favor of releasing, rather than of withholding, such information.

(e) Not later than 45 days after the date of the enactment of this Act, the Attorney General shall provide a report to the Committees on Appropriations describing in detail the circumstances under which individuals involved in the murders or the cover-up of the murders obtained residence in the United States.

#### KYOTO PROTOCOL

SEC. 583. None of the funds appropriated by this Act shall be used to propose or issue rules, regulations, decrees, or orders for the purpose of implementation, or in preparation for implementation, of the Kyoto Protocol, which was adopted on December 11, 1997, in Kyoto, Japan, at the Third Conference of the Parties to the United States Framework Convention on Climate Change, which has not been submitted to the Senate for advice and consent to ratification pursuant to article II, section 2, clause 2, of the United States Constitution, and which has not entered into force pursuant to article 25 of the Protocol.

#### ADDITIONAL REQUIREMENTS RELATING TO STOCK- PILING OF DEFENSE ARTICLES FOR FOREIGN COUNTRIES

SEC. 584. (a) **VALUE OF ADDITIONS TO STOCKPILES.**—Section 514(b)(2)(A) of the Foreign Assistance Act of 1961 (22 U.S.C. 2321h(b)(2)(A)) is amended by striking "\$50,000,000 for each of the fiscal years 1996 and 1997, \$60,000,000 for fiscal year 1998, and" and inserting before the period at the end, the following: "and \$60,000,000 for fiscal year 2000".

(b) **REQUIREMENTS RELATING TO THE REPUBLIC OF KOREA AND THAILAND.**—Section 514(b)(2)(B) of such Act (22 U.S.C. 2321h(b)(2)(B)) is amended by striking "Of the amount specified in subparagraph (A) for each of the fiscal years 1996 and 1997, not more than \$40,000,000 may be made available for stockpiles in the Republic of Korea and not more than \$10,000,000 may be made available for stockpiles in Thailand. Of the amount specified in subparagraph (A) for fiscal year 1998, not more than \$40,000,000 may be made available for stockpiles in the Republic of Korea and not more than \$20,000,000 may be made available for stockpiles in Thailand." and at the end inserting the following sentence: "Of the amount specified in subparagraph (A) for fiscal year 2000, not more than \$40,000,000 may be made available for stockpiles in the Republic of Korea and not more than \$20,000,000 may be made available for stockpiles in Thailand.".

#### RUSSIAN LEADERSHIP PROGRAM

SEC. 585. Section 3011 of the 1999 Emergency Supplemental Appropriations Act (Public Law 106-31; 113 Stat. 93) is amended—

(1) by striking "fiscal year 1999" in subsections (a)(1), (b)(4)(B), (d)(3), and (h)(1)(A) and inserting "fiscal years 1999 and 2000"; and

(2) by striking "2000" in subsection (a)(2), (e)(1), and (h)(1)(B) and inserting "2001".

#### ABOLITION OF THE INTER-AMERICAN FOUNDATION

SEC. 586. (a) **DEFINITIONS.**—In this section:

(1) **DIRECTOR.**—The term "Director" means the Director of the Office of Management and Budget.

(2) **FOUNDATION.**—The term "Foundation" means the Inter-American Foundation.

(3) **FUNCTION.**—The term "function" means any duty, obligation, power, authority, responsibility, right, privilege, activity, or program.

(b) **ABOLITION OF INTER-AMERICAN FOUNDATION.**—During fiscal year 2000, the President is authorized to abolish the Inter-American Foundation. The provisions of this section shall only be effective upon the effective date of the abolition of the Inter-American Foundation.

(c) **TERMINATION OF FUNCTIONS.**—

(1) Except as provided in subsection (d)(2), there are terminated upon the abolition of the Foundation all functions vested in, or exercised



by, the Foundation or any official thereof, under any statute, reorganization plan, Executive order, or other provisions of law, as of the day before the effective date of this section.

(2) **REPEAL.**—Section 401 of the Foreign Assistance Act of 1969 (22 U.S.C. 6290f) is repealed upon the effective date specified in subsection (j).

(3) **FINAL DISPOSITION OF FUNDS.**—Upon the date of transmittal to Congress of the certification described in subsection (d)(4), all unexpended balances of appropriations of the Foundation shall be deposited in the miscellaneous receipts account of the Treasury of the United States.

(d) **RESPONSIBILITIES OF THE DIRECTOR OF THE OFFICE OF MANAGEMENT AND BUDGET.**—

(1) **IN GENERAL.**—The Director of the Office of Management and Budget shall be responsible for—

(A) the administration and wind-up of any outstanding obligation of the Federal Government under any contract or agreement entered into by the Foundation before the date of the enactment of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 2000, except that the authority of this subparagraph does not include the renewal or extension of any such contract or agreement; and

(B) taking such other actions as may be necessary to wind-up any outstanding affairs of the Foundation.

(2) **TRANSFER OF FUNCTIONS TO THE DIRECTOR.**—There are transferred to the Director such functions of the Foundation under any statute, reorganization plan, Executive order, or other provision of law, as of the day before the date of the enactment of this section, as may be necessary to carry out the responsibilities of the Director under paragraph (1).

(3) **AUTHORITIES OF THE DIRECTOR.**—For purposes of performing the functions of the Director under paragraph (1) and subject to the availability of appropriations, the Director may—

(A) enter into contracts;

(B) employ experts and consultants in accordance with section 3109 of title 5, United States Code, at rates for individuals not to exceed the per diem rate equivalent to the rate for level IV of the Executive Schedule; and

(C) utilize, on a reimbursable basis, the services, facilities, and personnel of other Federal agencies.

(4) **CERTIFICATION REQUIRED.**—Whenever the Director determines that the responsibilities described in paragraph (1) have been fully discharged, the Director shall so certify to the appropriate congressional committees.

(e) **REPORT TO CONGRESS.**—The Director of the Office of Management and Budget shall submit to the appropriate congressional committees a detailed report in writing regarding all matters relating to the abolition and termination of the Foundation. The report shall be submitted not later than 90 days after the termination of the Foundation.

(f) **TRANSFER AND ALLOCATION OF APPROPRIATIONS.**—Except as otherwise provided in this section, the assets, liabilities (including contingent liabilities arising from suits continued with a substitution or addition of parties under subsection (g)(3)), contracts, property, records, and unexpended balance of appropriations, authorizations, allocations, and other funds employed, held, used, arising from, available to, or to be made available in connection with the functions, terminated by subsection (c)(1) or transferred by subsection (d)(2) shall be transferred to the Director for purposes of carrying out the responsibilities described in subsection (d)(1).

(g) **SAVINGS PROVISIONS.**—

(1) **CONTINUING LEGAL FORCE AND EFFECT.**—All orders, determinations, rules, regulations, permits, agreements, grants, contracts, certificates, licenses, registrations, privileges, and other administrative actions—

(A) that have been issued, made, granted, or allowed to become effective by the Foundation

in the performance of functions that are terminated or transferred under this section; and

(B) that are in effect as of the date of the abolition of the Foundation, or were final before such date and are to become effective on or after such date,

shall continue in effect according to their terms until modified, terminated, superseded, set aside, or revoked in accordance with law by the President, the Director, or other authorized official, a court of competent jurisdiction, or by operation of law.

(2) **NO EFFECT ON JUDICIAL OR ADMINISTRATIVE PROCEEDINGS.**—Except as otherwise provided in this section—

(A) the provisions of this section shall not affect suits commenced prior to the date of the abolition of the Foundation; and

(B) in all such suits, proceedings shall be had, appeals taken, and judgments rendered in the same manner and effect as if this section had not been enacted.

(3) **NONABATEMENT OF PROCEEDINGS.**—No suit, action, or other proceeding commenced by or against any officer in the official capacity of such individual as an officer of the Foundation shall abate by reason of the enactment of this section. No cause of action by or against the Foundation, or by or against any officer thereof in the official capacity of such officer, shall abate by reason of the enactment of this section.

(4) **CONTINUATION OF PROCEEDING WITH SUBSTITUTION OF PARTIES.**—If, before the date of the abolition of the Foundation, the Foundation, or officer thereof in the official capacity of such officer, is a party to a suit, then effective on such date such suit shall be continued with the Director substituted or added as a party.

(5) **REVIEWABILITY OF ORDERS AND ACTIONS UNDER TRANSFERRED FUNCTIONS.**—Orders and actions of the Director in the exercise of functions terminated or transferred under this section shall be subject to judicial review to the same extent and in the same manner as if such orders and actions had been taken by the Foundation immediately preceding their termination or transfer. Any statutory requirements relating to notice, hearings, action upon the record, or administrative review that apply to any function transferred by this section shall apply to the exercise of such function by the Director.

(h) **CONFORMING AMENDMENTS.**—

(1) **AFRICAN DEVELOPMENT FOUNDATION.**—Section 502 of the International Security and Development Cooperation Act of 1980 (22 U.S.C. 290h) is amended—

(A) by inserting “and” at the end of paragraph (2);

(B) by striking the semicolon at the end of paragraph (3) and inserting a period; and

(C) by striking paragraphs (4) and (5).

(2) **SOCIAL PROGRESS TRUST FUND AGREEMENT.**—Section 36 of the Foreign Assistance Act of 1973 is amended—

(A) in subsection (a)—

(i) by striking “provide for” and all that follows through “(2) utilization” and inserting “provide for the utilization”; and

(ii) by striking “member countries;” and all that follows through “paragraph (2)” and inserting “member countries.”;

(B) in subsection (b), by striking “transfer or”;

(C) by striking subsection (c);

(D) by redesignating subsection (d) as subsection (c); and

(E) in subsection (c) (as so redesignated), by striking “transfer or”.

(3) **FOREIGN ASSISTANCE ACT OF 1961.**—Section 222A(d) of the Foreign Assistance Act of 1961 (22 U.S.C. 2182a(d)) is repealed.

(i) **DEFINITION.**—In this section, the term “appropriate congressional committees” means the Committee on Appropriations and the Committee on Foreign Relations of the Senate and the Committee on Appropriations and the Committee on International Relations of the House of Representatives.

(j) **EFFECTIVE DATES.**—The repeal made by subsection (c)(2) and the amendments made by subsection (h) shall take effect upon the date of transmittal to Congress of the certification described in subsection (d)(4).

#### WEST BANK AND GAZA PROGRAM

SEC. 587. For fiscal year 2000, 30 days prior to the initial obligation of funds for the bilateral West Bank and Gaza Program, the Secretary of State shall certify to the appropriate committees of Congress that procedures have been established to assure the Comptroller General of the United States will have access to appropriate United States financial information in order to review the uses of United States assistance for the Program funded under the heading “Economic Support Fund” for the West Bank and Gaza.

#### HUMAN RIGHTS ASSISTANCE

SEC. 588. Of the funds made available under the heading “International Narcotics Control and Law Enforcement”, not less than \$500,000 should be provided to the Colombia Attorney General’s Human Rights Unit, not less than \$500,000 should be made available to support the activities of Colombian nongovernmental organizations involved in human rights monitoring, not less than \$250,000 should be provided to the United Nations High Commissioner for Human Rights to assist the Government of Colombia in strengthening its human rights policies and programs, not less than \$1,000,000 should be made available for personnel and other resources to enhance United States Embassy monitoring of assistance to the Colombian security forces and responding to reports of human rights violations, and not less than \$5,000,000 should be made available for administration of justice programs including support for the Colombia Attorney General’s Technical Investigations Unit.

#### INDONESIA

SEC. 589. (a) Funds appropriated by this Act under the headings “International Military Education and Training” and “Foreign Military Financing Program” may be made available for Indonesia if the President determines and submits a report to the appropriate congressional committees that the Indonesian government and the Indonesian armed forces are—

(1) taking effective measures to bring to justice members of the armed forces and militia groups against whom there is credible evidence of human rights violations;

(2) taking effective measures to bring to justice members of the armed forces against whom there is credible evidence of aiding or abetting militia groups;

(3) allowing displaced persons and refugees to return home to East Timor, including providing safe passage for refugees returning from West Timor;

(4) not impeding the activities of the International Force in East Timor (INTERFET) or its successor, the United Nations Transitional Authority in East Timor (UNTAET);

(5) demonstrating a commitment to preventing incursions into East Timor by members of militia groups in West Timor; and

(6) demonstrating a commitment to accountability by cooperating with investigations and prosecutions of members of the Indonesian armed forces and militia groups responsible for human rights violations in Indonesia and East Timor.

#### MAN AND THE BIOSPHERE

SEC. 590. None of the funds appropriated or otherwise made available by this Act may be provided for the United Nations Man and the Biosphere Program or the United Nations World Heritage Fund for programs in the United States.

#### IMMUNITY OF FEDERAL REPUBLIC OF YUGOSLAVIA

SEC. 591. (a) Subject to subsection (b), the Federal Republic of Yugoslavia shall be deemed to be a state sponsor of terrorism for the purposes of 28 U.S.C. 1605(a)(7).

(b) This section shall not apply to Montenegro or Kosovo.

(c) This section shall become null and void when the President certifies in writing to the Congress that the Federal Republic of Yugoslavia (other than Montenegro and Kosovo) has completed a democratic reform process that results in a newly elected government that respects the rights of ethnic minorities, is committed to the rule of law and respects the sovereignty of its neighbor states.

(d) The certification provided for in subsection (c) shall not affect the continuation of litigation commenced against the Federal Republic of Yugoslavia prior to its fulfillment of the conditions in subsection (c).

UNITED STATES ASSISTANCE POLICY FOR  
OPPOSITION-CONTROLLED AREAS OF SUDAN

SEC. 592. (a) Notwithstanding any other provision of law, the President, acting through appropriate Federal agencies, may provide food assistance to groups engaged in the protection of civilian populations from attacks by regular government of Sudan forces, associated militias, or other paramilitary groups supported by the Government of Sudan. Such assistance may only be provided in a way that: (1) does not endanger, compromise or otherwise reduce the United States' support for unilateral, multilateral or private humanitarian operations or the beneficiaries of those operations; or (2) compromise any ongoing or future people-to-people reconciliation efforts. Any such assistance shall be provided separate from and not in proximity to current humanitarian efforts, both within Operation Lifeline Sudan or outside of Operation Lifeline Sudan, or any other current or future humanitarian operations which serve noncombatants. In considering eligibility of potential recipients, the President shall determine that the group respects human rights, democratic principles, and the integrity of ongoing humanitarian operations, and cease such assistance if the determination can no longer be made.

(b) Not later than February 1, 2000, the President shall submit to the Committees on Appropriations a report on United States bilateral assistance to opposition-controlled areas of Sudan. Such report shall include—

(1) an accounting of United States bilateral assistance to opposition-controlled areas of Sudan, provided in fiscal years 1997, 1998, 1999, and proposed for fiscal year 2000, and the goals and objectives of such assistance;

(2) the policy implications and costs, including logistics and administrative costs, associated with providing humanitarian assistance, including food, directly to National Democratic Alliance participants and the Sudanese People's Liberation Movement operating outside of the United Nations' Operation Lifeline Sudan structure, and the United States agencies best suited to administer these activities; and

(3) the policy implications of increasing substantially the amount of development assistance for democracy promotion, civil administration, judiciary, and infrastructure support in opposition-controlled areas of Sudan and the obstacles to administering a development assistance program in this region.

CONSULTATIONS ON ARMS SALES TO TAIWAN

SEC. 593. Consistent with the intent of Congress expressed in the enactment of section 3(b) of the Taiwan Relations Act, the Secretary of State shall consult with the appropriate committees and leadership of Congress to devise a mechanism to provide for congressional input prior to making any determination on the nature or quantity of defense articles and services to be made available to Taiwan.

AUTHORIZATIONS

SEC. 594. The Secretary of the Treasury may, to fulfill commitments of the United States: (1) effect the United States participation in the fifth general capital increase of the African Development Bank, the first general capital in-

crease of the Multilateral Investment Guarantee Agency, and the first general capital increase of the Inter-American Investment Corporation; and (2) contribute on behalf of the United States to the eighth replenishment of the resources of the African Development Fund and the twelfth replenishment of the International Development Association. The following amounts are authorized to be appropriated without fiscal year limitation for payment by the Secretary of the Treasury: \$40,847,011 for paid-in capital, and \$639,932,485 for callable capital, of the African Development Bank; \$29,870,087 for paid-in capital, and \$139,365,533 for callable capital, of the Multilateral Investment Guarantee Agency; \$125,180,000 for paid-in capital of the Inter-American Investment Corporation; \$300,000,000 for the African Development Fund; and \$2,410,000,000 for the International Development Association.

ASSISTANCE FOR COSTA RICA

SEC. 595. Of the funds appropriated by Public Law 106-31, under the heading "Central America and the Caribbean Emergency Disaster Recovery Fund", \$8,000,000 shall be made available only for Costa Rica.

SILK ROAD STRATEGY ACT OF 1999

SEC. 596. (a) SHORT TITLE.—This section may be cited as the "Silk Road Strategy Act of 1999".

(b) AMENDMENT TO THE FOREIGN ASSISTANCE ACT OF 1961.—Part I of the Foreign Assistance Act of 1961 (22 U.S.C. 2151 et seq.) is amended by adding at the end the following new chapter:

**"CHAPTER 12—SUPPORT FOR THE ECONOMIC AND POLITICAL INDEPENDENCE OF THE COUNTRIES OF THE SOUTH CAUCASUS AND CENTRAL ASIA**

**"SEC. 499. UNITED STATES ASSISTANCE TO PROMOTE RECONCILIATION AND RECOVERY FROM REGIONAL CONFLICTS.**

"(a) PURPOSE OF ASSISTANCE.—The purposes of assistance under this section include—

"(1) the creation of the basis for reconciliation between belligerents;

"(2) the promotion of economic development in areas of the countries of the South Caucasus and Central Asia impacted by civil conflict and war; and

"(3) the encouragement of broad regional cooperation among countries of the South Caucasus and Central Asia that have been destabilized by internal conflicts.

"(b) AUTHORIZATION FOR ASSISTANCE.—

"(1) IN GENERAL.—To carry out the purposes of subsection (a), the President is authorized to provide humanitarian assistance and economic reconstruction assistance for the countries of the South Caucasus and Central Asia to support the activities described in subsection (c).

"(2) DEFINITION OF HUMANITARIAN ASSISTANCE.—In this subsection, the term 'humanitarian assistance' means assistance to meet humanitarian needs, including needs for food, medicine, medical supplies and equipment, education, and clothing.

"(c) ACTIVITIES SUPPORTED.—Activities that may be supported by assistance under subsection (b) include—

"(1) providing for the humanitarian needs of victims of the conflicts;

"(2) facilitating the return of refugees and internally displaced persons to their homes; and

"(3) assisting in the reconstruction of residential and economic infrastructure destroyed by war.

**"SEC. 499A. ECONOMIC ASSISTANCE.**

"(a) PURPOSE OF ASSISTANCE.—The purpose of assistance under this section is to foster economic growth and development, including the conditions necessary for regional economic cooperation, in the South Caucasus and Central Asia.

"(b) AUTHORIZATION FOR ASSISTANCE.—To carry out the purpose of subsection (a), the President is authorized to provide assistance for the countries of the South Caucasus and Central Asia to support the activities described in subsection (c).

"(c) ACTIVITIES SUPPORTED.—In addition to the activities described in section 498, activities supported by assistance under subsection (b) should support the development of the structures and means necessary for the growth of private sector economies based upon market principles.

**"SEC. 499B. DEVELOPMENT OF INFRASTRUCTURE.**

"(a) PURPOSE OF PROGRAMS.—The purposes of programs under this section include—

"(1) to develop the physical infrastructure necessary for regional cooperation among the countries of the South Caucasus and Central Asia; and

"(2) to encourage closer economic relations and to facilitate the removal of impediments to cross-border commerce among those countries and the United States and other developed nations.

"(b) AUTHORIZATION FOR PROGRAMS.—To carry out the purposes of subsection (a), the following types of programs for the countries of the South Caucasus and Central Asia may be used to support the activities described in subsection (c):

"(1) Activities by the Export-Import Bank to complete the review process for eligibility for financing under the Export-Import Bank Act of 1945.

"(2) The provision of insurance, reinsurance, financing, or other assistance by the Overseas Private Investment Corporation.

"(3) Assistance under section 661 of this Act (relating to the Trade and Development Agency).

"(c) ACTIVITIES SUPPORTED.—Activities that may be supported by programs under subsection (b) include promoting actively the participation of United States companies and investors in the planning, financing, and construction of infrastructure for communications, transportation, including air transportation, and energy and trade including highways, railroads, port facilities, shipping, banking, insurance, telecommunications networks, and gas and oil pipelines.

**"SEC. 499C. BORDER CONTROL ASSISTANCE.**

"(a) PURPOSE OF ASSISTANCE.—The purpose of assistance under this section includes the assistance of the countries of the South Caucasus and Central Asia to secure their borders and implement effective controls necessary to prevent the trafficking of illegal narcotics and the proliferation of technology and materials related to weapons of mass destruction (as defined in section 2332a(c)(2) of title 18, United States Code), and to contain and inhibit transnational organized criminal activities.

"(b) AUTHORIZATION FOR ASSISTANCE.—To carry out the purpose of subsection (a), the President is authorized to provide assistance to the countries of the South Caucasus and Central Asia to support the activities described in subsection (c).

"(c) ACTIVITIES SUPPORTED.—Activities that may be supported by assistance under subsection (b) include assisting those countries of the South Caucasus and Central Asia in developing capabilities to maintain national border guards, coast guard, and customs controls.

**"SEC. 499D. STRENGTHENING DEMOCRACY, TOLERANCE, AND THE DEVELOPMENT OF CIVIL SOCIETY.**

"(a) PURPOSE OF ASSISTANCE.—The purpose of assistance under this section is to promote institutions of democratic government and to create the conditions for the growth of pluralistic societies, including religious tolerance and respect for internationally recognized human rights.

"(b) AUTHORIZATION FOR ASSISTANCE.—To carry out the purpose of subsection (a), the President is authorized to provide the following types of assistance to the countries of the South Caucasus and Central Asia:

"(1) Assistance for democracy building, including programs to strengthen parliamentary institutions and practices.

"(2) Assistance for the development of non-governmental organizations.

“(3) Assistance for development of independent media.

“(4) Assistance for the development of the rule of law, a strong independent judiciary, and transparency in political practice and commercial transactions.

“(5) International exchanges and advanced professional training programs in skill areas central to the development of civil society.

“(6) Assistance to promote increased adherence to civil and political rights under section 116(e) of this Act.

“(c) ACTIVITIES SUPPORTED.—Activities that may be supported by assistance under subsection (b) include activities that are designed to advance progress toward the development of democracy.

**“SEC. 499E. ADMINISTRATIVE AUTHORITIES.**

“(a) ASSISTANCE THROUGH GOVERNMENTS AND NONGOVERNMENTAL ORGANIZATIONS.—Assistance under this chapter may be provided to governments or through nongovernmental organizations.

“(b) USE OF ECONOMIC SUPPORT FUNDS.—Except as otherwise provided, any funds that have been allocated under chapter 4 of part II for assistance for the independent states of the former Soviet Union may be used in accordance with the provisions of this chapter.

“(c) TERMS AND CONDITIONS.—Assistance under this chapter shall be provided on such terms and conditions as the President may determine.

“(d) AVAILABLE AUTHORITIES.—The authority in this chapter to provide assistance for the countries of the South Caucasus and Central Asia is in addition to the authority to provide such assistance under the FREEDOM Support Act (22 U.S.C. 5801 et seq.) or any other Act, and the authorities applicable to the provision of assistance under chapter 11 may be used to provide assistance under this chapter.

**“SEC. 499F. DEFINITIONS.**

“In this chapter:

“(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ‘appropriate congressional committees’ means the Committee on Foreign Relations of the Senate and the Committee on International Relations of the House of Representatives.

“(2) COUNTRIES OF THE SOUTH CAUCASUS AND CENTRAL ASIA.—The term ‘countries of the South Caucasus and Central Asia’ means Armenia, Azerbaijan, Georgia, Kazakhstan, Kyrgyzstan, Tajikistan, Turkmenistan, and Uzbekistan.”

(c) CONFORMING AMENDMENTS.—Section 102(a) of the FREEDOM Support Act (Public Law 102-511) is amended in paragraphs (2) and (4) by striking each place it appears “this Act” and inserting “this Act and chapter 12 of part I of the Foreign Assistance Act of 1961”).

(d) ANNUAL REPORT.—Section 104 of the FREEDOM Support Act (22 U.S.C. 5814) is amended—

(1) by striking “and” at the end of paragraph (3);

(2) by striking the period at the end of paragraph (4) and inserting “; and”; and

(3) by adding at the end the following new paragraph:

“(5) with respect to the countries of the South Caucasus and Central Asia—

“(A) an identification of the progress made by the United States in accomplishing the policy described in section 3 of the Silk Road Strategy Act of 1999;

“(B) an evaluation of the degree to which the assistance authorized by chapter 12 of part I of the Foreign Assistance Act of 1961 has accomplished the purposes identified in that chapter;

“(C) a description of the progress being made by the United States to resolve trade disputes registered with and raised by the United States embassies in each country, and to negotiate a bilateral agreement relating to the protection of United States direct investment in, and other business interests with, each country; and

“(D) recommendations of any additional initiatives that should be undertaken by the United States to implement the policy and purposes contained in the Silk Road Strategy Act of 1999.”.

COUNTRY REPORTS ON HUMAN RIGHTS PRACTICES

SEC. 597. Section 116 of the Foreign Assistance Act of 1961 is amended by adding the following new subsection:

“(f)(1) The report required by subsection (d) shall include—

“(A) a list of foreign states where trafficking in persons, especially women and children, originates, passes through, or is a destination; and

“(B) an assessment of the efforts by the governments of the states described in paragraph (A) to combat trafficking. Such an assessment shall address—

“(i) whether government authorities in each such state tolerate or are involved in trafficking activities;

“(ii) which government authorities in each such state are involved in anti-trafficking activities;

“(iii) what steps the government of each such state has taken to prohibit government officials and other individuals from participating in trafficking, including the investigation, prosecution, and conviction of individuals involved in trafficking;

“(iv) what steps the government of each such state has taken to assist trafficking victims;

“(v) whether the government of each such state is cooperating with governments of other countries to extradite traffickers when requested;

“(vi) whether the government of each such state is assisting in international investigations of transnational trafficking networks; and

“(vii) whether the government of each such state refrains from prosecuting trafficking victims or refrains from other discriminatory treatment towards victims.

“(2) In compiling data and assessing trafficking for the purposes of paragraph (1), United States Diplomatic Mission personnel shall consult with human rights and other appropriate nongovernmental organizations.

“(3) For purposes of this subsection—

“(A) the term ‘trafficking’ means the use of deception, coercion, debt bondage, the threat of force, or the abuse of authority to recruit, transport within or across borders, purchase, sell, transfer, receive, or harbor a person for the purposes of placing or holding such person, whether for pay or not, in involuntary servitude, slavery or slavery-like conditions, or in forced, bonded, or coerced labor;

“(B) the term ‘victim of trafficking’ means any person subjected to the treatment described in subparagraph (A).”.

OPIC MARITIME FUND

SEC. 598. It is the sense of the Congress that the Overseas Private Investment Corporation shall within 1 year from the date of the enactment of this Act select a fund manager for the purpose of creating a maritime fund with total capitalization of up to \$200,000,000. This fund shall leverage United States commercial maritime expertise to support international maritime projects.

SANCTIONS AGAINST SERBIA

SEC. 599. (a) CONTINUATION OF EXECUTIVE BRANCH SANCTIONS.—The sanctions listed in subsection (b) shall remain in effect for fiscal year 2000, unless the President submits to the Committees on Appropriations and Foreign Relations in the Senate and the Committees on Appropriations and International Relations of the House of Representatives a certification described in subsection (c).

(b) APPLICABLE SANCTIONS.—

(1) The Secretary of the Treasury shall instruct the United States executive directors of the international financial institutions to work in opposition to, and vote against, any exten-

sion by such institutions of any financial or technical assistance or grants of any kind to the government of Serbia.

(2) The Secretary of State should instruct the United States Ambassador to the Organization for Security and Cooperation in Europe (OSCE) to block any consensus to allow the participation of Serbia in the OSCE or any organization affiliated with the OSCE.

(3) The Secretary of State should instruct the United States Representative to the United Nations to vote against any resolution in the United Nations Security Council to admit Serbia to the United Nations or any organization affiliated with the United Nations, to veto any resolution to allow Serbia to assume the United Nations' membership of the former Socialist Federal Republic of Yugoslavia, and to take action to prevent Serbia from assuming the seat formerly occupied by the Socialist Federal Republic of Yugoslavia.

(4) The Secretary of State should instruct the United States Permanent Representative on the Council of the North Atlantic Treaty Organization to oppose the extension of the Partnership for Peace program or any other organization affiliated with NATO to Serbia.

(5) The Secretary of State should instruct the United States Representatives to the Southeast European Cooperative Initiative (SECI) to oppose and to work to prevent the extension of SECI membership to Serbia.

(c) CERTIFICATION.—A certification described in this subsection is a certification that—

(1) the representatives of the successor states to the Socialist Federal Republic of Yugoslavia have successfully negotiated the division of assets and liabilities and all other succession issues following the dissolution of the Socialist Federal Republic of Yugoslavia;

(2) the Government of Serbia is fully complying with its obligations as a signatory to the General Framework Agreement for Peace in Bosnia and Herzegovina;

(3) the Government of Serbia is fully cooperating with and providing unrestricted access to the International Criminal Tribunal for the former Yugoslavia, including surrendering persons indicted for war crimes who are within the jurisdiction of the territory of Serbia, and with the investigations concerning the commission of war crimes and crimes against humanity in Kosovo;

(4) the Government of Serbia is implementing internal democratic reforms; and

(5) Serbian federal governmental officials, and representatives of the ethnic Albanian community in Kosovo have agreed on, signed, and begun implementation of a negotiated settlement on the future status of Kosovo.

(d) STATEMENT OF POLICY.—It is the sense of the Congress that the United States should not restore full diplomatic relations with Serbia until the President submits to the Committees on Appropriations and Foreign Relations in the Senate and the Committees on Appropriations and International Relations in the House of Representatives the certification described in subsection (c).

(e) EXEMPTION OF MONTENEGRO AND KOSOVO.—The sanctions described in subsection (b) shall not apply to Montenegro or Kosovo.

(f) DEFINITION.—The term “international financial institution” includes the International Monetary Fund, the International Bank for Reconstruction and Development, the International Development Association, the International Finance Corporation, the Multilateral Investment Guaranty Agency, and the European Bank for Reconstruction and Development.

(g) WAIVER AUTHORITY.—The President may waive the application in whole or in part, of any sanction described in subsection (b) if the President certifies to the Congress that the President has determined that the waiver is necessary to meet emergency humanitarian needs.

## CLEAN COAL TECHNOLOGY

SEC. 599A. (a) FINDINGS.—The Congress finds as follows:

(1) The United States is the world leader in the development of environmental technologies, particularly clean coal technology.

(2) Severe pollution problems affecting people in developing countries, and the serious health problems that result from such pollution, can be effectively addressed through the application of United States technology.

(3) During the next century, developing countries, particularly countries in Asia such as China and India, will dramatically increase their consumption of electricity, and low quality coal will be a major source of fuel for power generation.

(4) Without the use of modern clean coal technology, the resultant pollution will cause enormous health and environmental problems leading to diminished economic growth in developing countries and, thus, diminished United States exports to those growing markets.

(b) STATEMENT OF POLICY.—It is the policy of the United States to promote the export of United States clean coal technology. In furtherance of that policy, the Secretary of State, the Secretary of the Treasury (acting through the United States executive directors to international financial institutions), the Secretary of Energy, and the Administrator of the United States Agency for International Development (USAID) should, as appropriate, vigorously promote the use of United States clean coal technology in environmental and energy infrastructure programs, projects and activities. Programs, projects and activities for which the use of such technology should be considered include reconstruction assistance for the Balkans, activities carried out by the Global Environment Facility, and activities funded from USAID's Development Credit Authority.

## RESTRICTION ON UNITED STATES ASSISTANCE FOR CERTAIN RECONSTRUCTION EFFORTS IN THE BALKANS REGION

SEC. 599B. (a) Funds appropriated or otherwise made available by this Act for United States assistance for reconstruction efforts in the Federal Republic of Yugoslavia or any contiguous country should to the maximum extent practicable be used for the procurement of articles and services of United States origin.

(b) DEFINITIONS.—In this section:

(1) ARTICLE.—The term "article" means any agricultural commodity, steel, communications equipment, farm machinery or petrochemical refinery equipment.

(2) FEDERAL REPUBLIC OF YUGOSLAVIA.—The term "Federal Republic of Yugoslavia" includes Serbia, Montenegro and Kosovo.

## CONTRIBUTIONS TO UNITED NATIONS POPULATION FUND

SEC. 599C. (1) LIMITATIONS ON AMOUNT OF CONTRIBUTION.—Of the amounts made available under "International Organizations and Programs", not more than \$25,000,000 for fiscal year 2000 shall be available for the United Nations Population Fund (hereafter in this subsection referred to as the "UNFPA").

(2) PROHIBITION ON USE OF FUNDS IN CHINA.—None of the funds made available under "International Organizations and Programs" may be made available for the UNFPA for a country program in the People's Republic of China.

(3) CONDITIONS ON AVAILABILITY OF FUNDS.—Amounts made available under "International Organizations and Programs" for fiscal year 2000 for the UNFPA may not be made available to UNFPA unless—

(A) the UNFPA maintains amounts made available to the UNFPA under this section in an account separate from other accounts of the UNFPA;

(B) the UNFPA does not commingle amounts made available to the UNFPA under this section with other sums; and

(C) the UNFPA does not fund abortions.

(4) REPORT TO THE CONGRESS AND WITHHOLDING OF FUNDS.—

(A) Not later than February 15, 2000, the Secretary of State shall submit a report to the appropriate congressional committees indicating the amount of funds that the United Nations Population Fund is budgeting for the year in which the report is submitted for a country program in the People's Republic of China.

(B) If a report under subparagraph (A) indicates that the United Nations Population Fund plans to spend funds for a country program in the People's Republic of China in the year covered by the report, then the amount of such funds that the UNFPA plans to spend in the People's Republic of China shall be deducted from the funds made available to the UNFPA after March 1 for obligation for the remainder of the fiscal year in which the report is submitted.

## AUTHORIZATION FOR POPULATION PLANNING

SEC. 599D. (a) AUTHORIZATION.—Not to exceed \$385,000,000 of the funds appropriated in title II of this Act may be available for population planning activities or other population assistance.

(b) RESTRICTION ON ASSISTANCE TO FOREIGN ORGANIZATIONS THAT PERFORM OR ACTIVELY PROMOTE ABORTIONS.—

(1) PERFORMANCE OF ABORTIONS.—(A) Notwithstanding section 614 of the Foreign Assistance Act of 1961, or any other provision of law, no funds appropriated by title II of this Act for population planning activities or other population assistance may be made available for any foreign private, nongovernmental, or multilateral organization until the organization certifies that it will not, during the period for which the funds are made available, perform abortions in any foreign country, except where the life of the mother would be endangered if the pregnancy were carried to term or in cases of forcible rape or incest.

(B) Subparagraph (A) may not be construed to apply to the treatment of injuries or illnesses caused by legal or illegal abortions or to assistance provided directly to the government of a country.

(2) LOBBYING ACTIVITIES.—(A) Notwithstanding section 614 of the Foreign Assistance Act of 1961, or any other provision of law, no funds appropriated by title II of this Act for population planning activities or other population assistance may be made available for any foreign private, nongovernmental, or multilateral organization until the organization certifies that it will not, during the period for which the funds are made available, violate the laws of any foreign country concerning the circumstances under which abortion is permitted, regulated, or prohibited, or engage in activities or efforts to alter the laws or governmental policies of any foreign country concerning the circumstances under which abortion is permitted, regulated, or prohibited.

(B) Subparagraph (A) shall not apply to activities in opposition to coercive abortion or involuntary sterilization.

(3) APPLICATION TO FOREIGN ORGANIZATIONS.—The prohibitions and certifications of this subsection apply to funds made available to a foreign organization either directly or as a subcontractor or subgrantee.

(c) WAIVER AUTHORITY.—

(1) AUTHORITY.—The President may waive the restrictions contained in subsection (b) that require certifications from foreign private, nongovernmental, or multilateral organizations.

(2) REDUCTION OF ASSISTANCE.—In the event the President exercises the authority contained in paragraph (1) to waive either or both subsections (b)(1) and (b)(2), then—

(A) assistance authorized by subsection (a) and allocated for population planning activities or other population assistance shall be reduced by a total of \$12,500,000, and that amount shall be transferred from funds appropriated by this Act under the heading "Development Assist-

ance" and consolidated and merged with funds appropriated by this Act under the heading "Child Survival and Disease Programs Fund"; and

(B) Notwithstanding any other provision of law, such transferred funds that would have been made available for population planning activities or other population assistance shall be made available for infant and child health programs that have a direct, measurable, and high impact on reducing the incidence of illness and death among children.

(3) LIMITATION.—The authority provided in paragraph (1) may be exercised to allow the provision of not more than \$15,000,000, in the aggregate, to all foreign private, nongovernmental, or multilateral organizations with respect to which such authority is exercised.

(4) ADDITIONAL REQUIREMENTS.—Upon exercising the authority provided in paragraph (1), the President shall report in writing to the Committee on Appropriations and the Committee on Foreign Relations of the Senate and the Committee on Appropriations and the Committee on International Relations of the House of Representatives.

## OPIC AUTHORIZATION

SEC. 599E. Section 235(a)(2) of the Foreign Assistance Act of 1961 (22 U.S.C. 2195(a)(2)) is amended by striking "1999" and inserting "November 1, 2000".

TITLE VI—INTERNATIONAL AFFAIRS  
SUPPLEMENTAL APPROPRIATIONS  
BILATERAL ECONOMIC ASSISTANCE  
FUNDS APPROPRIATED TO THE PRESIDENT  
OTHER BILATERAL ECONOMIC ASSISTANCE  
ECONOMIC SUPPORT FUND

For an additional amount for "Economic Support Fund" for assistance for Jordan and for the West Bank and Gaza, \$450,000,000, to remain available until September 30, 2002, of which \$100,000,000 of the funds made available for the West Bank and Gaza shall become available for obligation on September 30, 2000: Provided, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: Provided further, That the entire amount provided shall be available only to the extent that an official budget request that includes designation of the entire amount as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress.

## MILITARY ASSISTANCE

FUNDS APPROPRIATED TO THE PRESIDENT  
FOREIGN MILITARY FINANCING PROGRAM

For an additional amount for "Foreign Military Financing Program", \$1,375,000,000, to remain available until September 30, 2002, of which \$1,200,000,000 shall be for grants only for Israel, \$25,000,000 shall be for grants only for Egypt, and \$150,000,000 shall be for grants only for Jordan: Provided, That \$300,000,000 of the funds made available for Israel and \$100,000,000 of the funds made available for Jordan shall become available for obligation on September 30, 2000: Provided further, That funds appropriated under this heading shall be nonrepayable, notwithstanding section 23 of the Arms Export Control Act: Provided further, That funds appropriated under this heading shall be expended at the minimum rate necessary to make timely payment for defense articles and services: Provided further, That to the extent that the Government of Israel requests that funds be used for such purposes, grants made available for Israel by this paragraph shall, as agreed by Israel and the United States, be available for advanced weapons systems, of which not to exceed 26.3 percent shall be available for the procurement in Israel of defense articles and defense services, including research and development: Provided

further, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: Provided further, That the entire amount provided shall be available only to the extent that an official budget request that includes designation of the entire amount as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress: Provided further, That notwithstanding any other provision of this Act, not to exceed \$1,370,000,000 of the funds appropriated for Israel under this heading in title III shall be disbursed within 30 days of the enactment of this Act.

This Act may be cited as the "Foreign Operations, Export Financing, and Related Programs Appropriations Act, 2000".

Following is explanatory language on H.R. 3422, as introduced on November 17, 1999.

#### FOREIGN OPERATIONS, EXPORT FINANCING, AND RELATED PROGRAMS APPROPRIATIONS

This joint explanatory statement includes a description of the resolution of differences between the House and Senate on both H.R. 2606, vetoed by the President on October 18, 1999, and H.R. 3196. References in the following statement to appropriations amounts or other items proposed by the House bill or Senate amendment refer only to those amounts and items recommended in the House-passed and Senate-passed versions of H.R. 2606. Appropriation amounts, bill language, and general provisions contained in this conference agreement which were identical in the House-passed and Senate-passed versions of H.R. 2606 are not referenced in the following joint explanatory statement. In some instances, appropriations amounts or other items in H.R. 3196 are not referenced in the statement as being part of the House-passed version of that bill. However, any reference to appropriations amounts or other items being included in the conference agreement does reflect the final agreement with regard to both H.R. 2606 and H.R. 3196.

The managers expect that each agency affected by this conference agreement consult with the Committees on Appropriations not later than December 15, 1999, regarding the directives and recommendations included in House Report No. 106-254 and Senate Report No. 106-81, which accompanied their respective versions of H.R. 2606:

#### TITLE I—EXPORT AND INVESTMENT ASSISTANCE

##### EXPORT-IMPORT BANK OF THE UNITED STATES SUBSIDY APPROPRIATION

The conference agreement appropriates \$759,000,000 for the subsidy appropriation of the Export-Import Bank as proposed by the House instead of \$785,000,000 as proposed by the Senate.

##### OVERSEAS PRIVATE INVESTMENT CORPORATION NON-CREDIT ACCOUNT

The conference agreement provides \$35,000,000 for administrative expenses of the Overseas Private Investment Corporation (OPIC) as proposed by the House instead of \$31,500,000 as proposed by the Senate.

##### OVERSEAS PRIVATE INVESTMENT CORPORATION PROGRAM ACCOUNT

The conference agreement provides \$24,000,000 for program expenses of OPIC as proposed by the Senate instead of \$20,500,000 as proposed by the House.

The managers have included language allowing OPIC to use the authorities of Section 234(g) of the Foreign Assistance Act of 1961 as proposed by the House, instead of repealing said subsection as proposed by the

Senate. The conference agreement also includes a general provision urging OPIC to establish within one year of enactment a maritime fund for the purpose of leveraging United States commercial maritime expertise to support international maritime projects.

The managers on the part of the House request OPIC and the Department of State to take all necessary actions to protect the interests of American investors in Gaza supported by OPIC financing or insurance.

Under Sec. 599E, authority is provided for OPIC to continue operations until November 1, 2000.

#### FUNDS APPROPRIATED TO THE PRESIDENT TRADE AND DEVELOPMENT AGENCY

The conference agreement appropriates \$44,000,000 for the Trade and Development Agency as proposed by the House instead of \$43,000,000 as proposed by the Senate.

#### TITLE II—BILATERAL ECONOMIC ASSISTANCE

##### AGENCY FOR INTERNATIONAL DEVELOPMENT CHILD SURVIVAL AND DISEASE PROGRAMS FUND

The conference agreement appropriates \$715,000,000 for the Child Survival and Disease Programs Fund instead of \$685,000,000 as proposed by the House. The Senate bill contained no provision on this matter, but included funds for these activities under "Development Assistance". The managers agree with and endorse House Report No. 106-254 regarding the use of funds appropriated under this heading, including \$110,000,000 for a grant to UNICEF for programs consistent with the purpose of the Child Survival and Disease Programs Fund. The grant for UNICEF does not preclude AID from providing additional funding for specific UNICEF projects as may be appropriate. The managers have been assured that the success of the polio eradication program is likely to result in a significantly lower requirement for this effort in future years. The managers have included \$35,000,000 for a special initiative to fight HIV/AIDS in Africa and India. This is in addition to the \$145,000,000 provided in this Fund and elsewhere in the bill for ongoing HIV/AIDS programs. At least \$10,000,000 additionally is designated for children affected by the HIV/AIDS epidemic.

In implementing programs, projects, and activities to combat infectious diseases, including long-standing programs relating to malaria and measles, as well as the more recent emphasis on HIV/AIDS and tuberculosis, surveillance, and anti-microbial resistance, the conferees expect AID to continue to consult closely with the Appropriations Committees, the Centers for Disease Control, the National Institutes of Health, and other relevant agencies involved in international health issues. In addition to the increase for HIV/AIDS, funding for AID's other infectious disease programs should exceed the fiscal year 1999 level. The managers also direct AID to provide the Committees with a detailed report not later than February 15, 2000, on the programs, projects, and activities undertaken by the Child Survival and Disease Programs Fund during fiscal year 1999.

The managers strongly encourage AID to reserve funds from the Child Survival and Disease Programs Fund for the establishment of a Global Infectious Diseases Reserve. The Reserve is intended to provide a mechanism for rapid and flexible response to initiate or expand a limited number of programs in developing countries with high potential to respond to infectious disease outbreaks that threaten more than one region and to serve as seed money to attract other donors and partners.

The global health threat from tuberculosis is another priority for the funds provided in this Act. Because of difficulties encountered in implementing tuberculosis language accompanying last year's Act, the managers welcome AID's proposal to allocate \$3,000,000 in fiscal year 2000 to tuberculosis control programs in Mexico, with an emphasis on cost-sharing with Mexico on programs that focus on Mexico's border states.

In addition to increasing support for tuberculosis control worldwide, the managers urge AID to contribute up to \$5,000,000 toward the effort led by the Atlanta-based Carter Center to eradicate illness caused by the African guinea worm.

The managers are aware that significant new private resources are now available to augment AID's immunization programs, and commend the partners in this effort.

The managers are working with the General Accounting Office and experts from the public and private sectors to consider options for Congress to address childhood vaccine shortfalls in developing countries. The managers encourage AID to lend its support to this initiative.

The managers direct that core child survival activities focus on effective interventions to reduce infant mortality during the first month of life through activities that focus on the health and nutrition needs of pregnant women and new mothers, a vital aspect of child survival that has not yet attracted sufficient private funds. The managers also support expansion of core child survival programs in Africa.

The managers will consider the use of not more than three percent of the amount provided for the Child Survival and Disease Programs Fund in countries funded under SEED and FREEDOM Support Act authorities. In particular, the managers urge AID to provide up to \$2,000,000 to support non-governmental organizations that work with older orphans, including those with cognitive disabilities and mild mental retardation, to teach life and job skills. The conference agreement also continues existing limitations on the use of the Fund for non-project assistance.

The managers note that Morehouse School of Medicine is establishing an International Center for Health and Development. This center will be dedicated to forming local and international partnerships to address the health problems that are devastating Africa today. The conferees encourage AID to provide assistance for these efforts.

#### DEVELOPMENT ASSISTANCE (INCLUDING TRANSFER OF FUNDS)

The conference agreement appropriates \$1,228,000,000 for "Development Assistance" instead of \$1,201,000,000 as proposed by the House and \$1,928,500,000 as proposed by the Senate. The Senate included funding for the "Child Survival and Disease Programs Fund" under its "Development Assistance" account.

The conference agreement appropriates up to \$5,000,000 for the Inter-American Foundation from funds made available under this heading and up to \$14,400,000 directly to the African Development Foundation, as proposed in the House bill. The Senate amendment provided authority to transfer funds from this account to the Inter-American Foundation, but did not specify an amount. Also, the Senate amendment provided \$12,500,000 for the African Development Foundation. Section 586 of the conference agreement provides the President with the authority to abolish the Inter-American Foundation during fiscal year 2000. The managers note that the funding level provided for the Inter-American Foundation is sufficient for meeting existing grant, contract, and lease obligations and to wind up any other outstanding affairs of the Foundation.